Volume V e



Council Debates

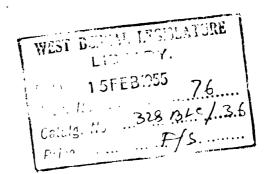
Official Report

West Bengal Legislative Council

Fifth Session (September), 1954

(From 3rd to 28th September, 1954)

The 3rd, 8th, 10th, 14th, 16th, 20th and 28th September, 1954.



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1955

GOVERNMENT OF WEST BENGAL

GOVERNOR:

Dr. HARENDRA COOMAR MOOKERJEE.

MEMBERS OF THE COUNCIL OF MINISTERS: `

- The Hon'ble Dr. Bidhan Chandra Roy, Chief Minister and Minister-incharge of the Home, Development, Finance and Commerce and Industries Departments.
- The Hon'ble Jadabendra Nath Panja, Minister-in-charge of the Cottage and Small Scale Industries Department.
- The Hon'ble Hem Chandra Naskar, Minister-in-charge of the Forests and Fisheries Department.
- The Hon'ble AJOY KUMAR MUKHERJI, Minister-in-charge of the Department of Irrigation and Waterways.
- The Hon'ble Syama Prasad Barman, Minister-in-charge of the Excise Department.
- The Hon'ble Khagendra Nath Das Gupta, Minister-in-charge of the Works and Buildings Department.
- The Hon'ble Radhagobinda Roy, Minister-in-charge of the Department of Tribal Welfare.
 - Le Hon'ble RENUKA RAY, Minister-in-charge of the Refugee Relief and Rehabilitation Department.
- •The Hon'ble Prafulla Chandra Sen, Minister-in-charge of the Department of Food, Relief and Supplies.
- The Hon'ble Dr. Rafiuddin Ahmed, Minister-in-charge of the Agriculture and Co-operation Department.
- The Hon'ble Pannalal Bose, Minister-in-charge of the Department of Education.
- The Hon'ble Kali Pada Mookerjee, Minister-in-charge of the Department of Labour.
- The Hon'ble Satyendra Kumar Basu, Minister-in-charge of the Judicial and Legislative Departments, and Department of Land and Land Revenue.
- The Hon'ble Iswar Das Jalan, Minister-in-charge of the Local Self-Government Department.

MINISTERS OF STATE:

- The Hon'ble Dr. AMULYADHAN MUKHARJI, Minister of State in charge of the Medical and Public Health Department.
- The Hon'ble Dr. JIBAN RATAN DHAR, Minister of State in charge of the Jails Branch of the Home Department.

DEPUTY MINISTERS:

- Sj. Satish Chandra Roy Singh, Deputy Minister for the Transport Branch of the Home Department.
- Sj. Satyendra Chandra Ghosh Maulik, Deputy Minister for the Defence Branch of the Home Department.
- Sj. GOPIKA BILAS SEN GUPTA, Deputy Minister for the Publicity and Public Relations Branch of the Home Department.
- Sj. Tarun Kanti Ghosh, Deputy Minister for the Local Works Schemes and Township Branch of the Development Department and for the Relief Branch of the Food, Relief and Supplies Department.
- Sj. Sowrindra Mohan Misra, Deputy Minister for the Commerce and Industries Department.
- Sj. Tenzing Wangdi, Deputy Minister for the Tribal Welfare Department and for the Excise Department.
- Sj. BIJESH CHANDRA SEN, Deputy Minister for the Rehabilitation Branch of the Refugee Relief and Rehabilitation Department.
- Sj. Smarajit Bandyopadhyay, Deputy Minister for the Food Branch of the Food, Relief and Supplies Department.
- Sj. RAJANI KANTA PRAMANIK, Deputy Minister for the Supplies Branch of the Food, Relief and Supplies Department.
- Janab Abdus Shokur, Deputy Minister for the Agriculture Branch of the Department of Agriculture and Co-operation.
- *Sj. CHITTARANJAN Roy, Deputy Minister for the Co-operation Branch of the Department of Agriculture and Co-operation, and for the Cottage and Small Scale Industries Department.
- Sjkta. PURABI MUKHOPADHYAY, Deputy Minister for the Women's Education Branch of the Education Department and for the Relief Branch of the Refugee Relief and Rehabilitation Department.
- Sj. Shiva Kumar Rai, Deputy Minister for the Labour Department.
- Sj. Debendra Chandra Dev. Deputy Minister for the Home Department in charge of Parliamentary Affairs.

WEST BENGAL LEGISLATIVE COUNCIL

PRINCIPAL OFFICERS.

CHAIRMAN:

The Hon'ble Dr. Suniti Kumar Chatterji

DEPUTY CHAIRMAN:

Dr. PRATAP CHANDRA GUHA RAY.

ALP ETICAL LIST OF MEMBERS.

- (1) Abdul Halim, Janab. (Elected by M.L.As.)
- (2) Abdur Rashid, Janab Mirza. (Elected by M.L.As.]

В

- (3) Bagehi, Sj. Narendranath. [Elected by M.L.As.]
- (4 Bandopadhyaya, Sj. Tarakdas. [Nadia-Murshidabad (Local Authorities).]
- (5) Bancrjee, Sj. Sunil Kumar. [Hooghly-Howrah (Local Authorities).]
- (6) Banerjee, Sj. Tara Sankar. [Nominated.]
- (7) Banerji, Sj. Bankim Chandra. [Elected by M.L.As.]
- (8) Banerji, Sj. Sankar Das. [Nominated.]
- (9) Basu, Sj. Gurugobinda. [Nominated.]
- (10) Bhattacharya, Dr. Bijanbihari. [Burdwan Division (Teachers).]
- (11) Bhattacharyya, Sj. Nirmal Chandra. [Calcutta (Graduates).]
- (12) Bhuwalka, Sj. Ram Kumar [Elected by M.L.As.]
- (13) Bose, Sj. Subodh Kumar. [Elected by M.L As.]

C

- [14] Chakrabarty, Dr. Monindra Mohan. [Elected by M.L.As.]
- (15) Chakravarty, Sj. Hridoy Bhusan. [Cal.-24-Parganas (Local Authorities).]
- (16) Chatterjea, Sj. Devaprasad. [Cal.-24-Parganas (Local Authorities).]
- *(17) Chatterji, Dr. Suniti Kumar. [West Bengal South (Graduates).]
- (18) Chattopadhyay, Sj. K. P. [Elected by M.L.As.]
- (19) Choudhuri, Sj. Annada Prosad. [Burdwan Division North (Local Authorities.)]

D

- (20) Das, Sjkta. Santi. [Nominated.]
- (21) Deb, Sj. Narasingha Malla Ugal Sanda. [Nominated.]
- (22) Debi, Sjkta. Anila. [Presidency Division North (Teachers).]
- (23) Dutt, Sjkta. Labanyaprova. [Nominated.]

G

- (24) Ghose, Sj. Kamini Kumar. [Calcutta (Teachers).]
- (25) Guha, Sj. Prafulla Kumar. [Cal.-24-Parganas (Local Authorities).]
- *(26) Guha Ray, Dr. Pratap Chandra. [Elected by M.L.As.]

M

- (27) Mahanty, Sj. Charu Chandra. [Burdwan Division North (Local Authorities).]
- (28) Majumdar, Sj. Sudhirendra Nath. [Cal.-24-Parganas (Local Authorities).]
- (29) Misra, Sj. Sachindra Nath. [West Bengal North (Local Authorities).]
- (30) Mohammad Jan, Janab Shaikh. [Nominated.]
- (31) Mohammad Sayeed Mia, Janab. [Elected by M.L.As.]
- (32) Mookerjee, Sj. Kamala Charan. [Elected by M.L.As.]
- (33) Mookerjee, Sj. Kali Pada. [Cal.-24-Parganas (Local Authorities).]
- (34) Mukherjee, Sj. Kamada Kinkar. [Elected by M.L.As.]
- (35) Musharruf Hossain, Janab. [Nominated.]

N

(36) Nahar, Sj. Bijoy Singh. [Elected by M.L.As.]

P

- (37) Prasad, Sj. R. S. [Darjeeling (Local Authorities).]
- (38) Prodhan, Sj. Lakshman. [Elected by M.L.As.]

R

- (39) Rai Choudhuri, Sj. Mohitosh. [Elected by M.L.As.]
- (40) Roy, Sj. Chittaranjan. [West Bengal West (Graduates).]
- (41) Roy, Sj. Satya Priya. [Presidency Division South (Teachers).]
- (42) Roy, Sj. Surendra Kumar. [Elected by M.L.As.]

S

- (43) Sanyal, Sj. Charu Chandra. [West Bengal North (Graduates).]
- (44) Saraogi, Sj. Pannalal. [Nominated.]
- (45) Sarkar, Sj. Pranabeswar. [Burdwan Division North (Local Authorities).]
- (46) Sawoo, Sj. Sarat Chandra. [Cal.-24-Parganas (Local Authorities).]
- (47) Sen, Sj. Debendra. [Elected by M.L.As.]
- (48) Sen, Sj. Prafulla Chandra. [Hooghly-Howrah (Local Authorities).]
- (49) Singha, Sj. Biman Behari Lall. [Burdwan Division North (Local Authorities)
- (50) Sinha, Sj. Kali Narayan. [Nadia-Murshidabad (Local Authorities).]
- (51) Sinha, Sj. Rabindralal. [Hooghly-Howrah (Local Authorities].]

COUNCIL DEBATES

Friday, the 3rd September, 1954.

THE COUNCIL met in the Legislative Chamber of the Legislative Buildings, Calcutta, on Friday, the 3rd September, 1954, at 10 a.m. being the 1st day of the Fifth Session, under the Constitution of India.

Mr. Chairman (The Hon'ble Dr. SUNITI KUMAR CHATTERJI) was in the Chair.

[10—10-5 a.m.]

Chairman: Honourable members, as this is the first meeting after the last election, I have very great pleasure in welcoming the three new members who have been returned to this House as well as those who have been returned once again. We are looking forward to a spell of useful work in co-operation with them for the good of the people for the coming two years altogether.

Panel of Presiding Officers.

Mr. Chairman: In accordance with the provisions of Rule 7 of the West Bengal Legislative Council Procedure Rules, I nominate the the following members of the Council to form a Panel of four Presiding Officers for the current session: -

- (1) S_i. Tarakdas Bandopadhyaya,
- (2) Sj. Annada Prosad Choudhuri,
- (3) Sj. Nirmal Chandra Bhattacharyya, and
- (4) Sikta. Labanyaprova Dutt.

Unless otherwise arranged, the senior member among them present in the above order will preside over the deliberations of the Council in my absence and in the absence of the Deputy Chairman.

Obituary references.

Obituary references

Mr. Chairman: Honourable * members, before we commence the business for the day, it is my melancholy duty to refer to the deaths of some of the persons prominent in the public life of West Bengal as well as of India whose sad demise took place after we last separated.

First we have to refer to the death of Shri Bharat Lal Tudu Kuikata who was elected a Congress member the Midnapore-Jhargram Scheduled Tribes Reserved Constituency of West Bengal to the House of the People (Loka-Sabha) in 1952. He died at the age of 57 on the 6th May, 1954, in Willingdon Hospital, Delhi, after suffering for nearly 3 months from tubercular meningitis. He was born at Midnapore town in 1897 and had his education at Midnapore school and college.

He was Special Police Officer for Santhals, and Headmaster of Midnapore Mission M. E. School. He was an Assistant Sub-Inspector of Schools for Santhal Education in 1919-20. He was a member of the Midnapore Sadar (North) Minority and Midnapore District Board Minority Board. He was a member of the Executive Committee of the Bharat Mahajati Mandal and Vice-Chairman of the Midnapore Sadar Adimjati Sangha. He was a great social worker in the cause of Santhals and other educationally and economically backward groups in our Indian nation. He was an educationist and was connected with the American Baptist Home Board; and he was prominent among Adivasi intellectuals. Shikar and study of biographical literature particularly of social workers formed his special hobby and recreation.

Next I have to mention the death of Shrimati Bibhabati Bose, an cx-M.L.A. of West Bengal; she died at the age of 59 on the 23rd June, 1954. She was the widow of the late Sarat Chandra Bose who was the Leader of the Opposition in the Legislative Assembly of undivided Bengal and was one of the leaders of an all-India importance. Shrimati

[Mr. Chairman.]

'Bose was a worthy help-mate of her husband and she took active interest in the country's fight for freedom, specially in the part which 'Sj. Sarat Chandra Bose and his brother Netaji Subhas Chandra Bose played in the Indian struggle.

Sj. Sarat Chandra Bose elected member of the West Bengal Legislative Assembly, but as illluck would have it, he passed away in 1950 before he could actually attend the Assembly sittings. On his death Shrimati Bibhabati Bose successfully contested the seat which fell vacant through her husband's demise, as a nominee of the United Socialist Organisation, She took active part in the Assembly and opposed the Calcutta **M**unicipal Bill. She was an outspoken critic of Government, particularly in connexion with its refugee rehabilitation policy.

[10-5-10-10 a.m.]

Finally, we have to mention **8j. Suresh Chandra Majumdar,** the Managing Director of Ananda Bazar Patrika, Desh and Hindusthan Standard, journalist of renown and a veteran Congressman, who was also a Member of the Council of States from West Bengal elected by the members of the Legislative Assembly; he died at the age of 66 on 12th August, 1954.

He was born in 1888. He began his career as a poor boy without any one to help him to become established in life, and by his own merit and indefatigable spirit he rose to fame and wealth and to a topmost position in the newspaper world in Bengal and India, as well as in the related type-foundry industry. After the first world war he joined like many other young men of Bengal the anarchist movement. An ardent nationalist like him soon found his proper line of work in the Congress for freedom, and he movement became a staunch Congress worker and served the Congress to the last day of his life. He took charge of the management of Ananda Bazar Patrika in 1922 and since then by his able journalism and management the Patrika rose to prominence and

became perhaps the most widely circulated Indian language paper in India, and the influence and prominence which the *Patrika* now has are due entirely to his credit. Under his management the English daily *Hindusthan Standard* and the Bengali weekly the *Desh* were published, and within no time these two papers occupied a foremost position in the newspaper world in India.

Shri Suresh Chandra was a practical reformer in many ways connected with Bengali printing and with the Bengali typewriter. It was through his untiring exertions and his long experimentation that the linotype came to be adopted widely, firstly in Bengali among Indian languages, when he began to publish the Ananda Bazar Patrika in Bengali lino largely devised by himself. After more than six years of untiring energy for bringing down the number of types in the Bengali fount from 600 to 124, the Ananda Bazar Patrika first came out in linotype in 1937. The alignment of Bengali key-board in the modern Bengali typewriter as made by him was accepted by the West Bengal Government, After the demise of Poet Rabindranath, it was through his lead that a sum of 14 lakhs of rupces was collected in the Rabindra Memorial Fund to perpetuate suitably the memory of the Poet. This was one of his achievements in the numerous literary and public life of Bengal.

He was an active member of the All-India Newspaper Editors' Conference, the Indian and Eastern Newspaper Society, the Calcutta Press Owners' Association, etc., and he was placed also in the forefront of these organisations as a leader. He showed a new venture in popularising political literature by publishing the Bengali translation of the famous books of Jawaharlal and Rajendra Prasad from English. All these and various other activities popular made him among both literary and political groups in the country. It was he who through the Ananda Bazar Patrika brought in modernism and progressiveness in the Indian newspaper world.

He was arrested on suspicion in 1910, along with Jatin Mukherjee (known as Bagha Jatin), in connection with a political murder and was kept in solitary confinement for nearly sixteen months. In 1914 he established the Sri Gouranga Press, one of the most efficient printing houses in India. He was the President of North Calcutta Congress Committee for nearly twenty years. In 1947 he was elected to the Constituent Assembly of India.

The great active life of Suresh Chandra has come to an end, but it is a matter of pride for all that he was ever victorious in the struggle of life. We wish his great soul peace after a life dedicated to the incessant service of his people.

Now, I request you, ladies and gentlemen, to stand for two minutes to pay homage to the memory of the deceased.

[Members stood in silence for two minutes.]

Thank you, ladies and gentlemen. The Secretary will do the needful to convey the condolence of the House to the bereaved families.

Messages.

[10-10-15 a.m.]

The Secretary (Sj. A. R. Mukherjea) then read the following messages received from the West Bengal Legislative Assembly:—

(1)

"Message.

The Bengal Municipal (Second Amendment) Bill, 1954, as passed by the West Bengal Legislative Assembly at its meeting held on the 30th August, 1954, has been duly signed by me and is annexed herewith. The concurrence of the West Bengal Legislative Council to the Bill is requested.

SAILA KUMAR MUKHERJEE,

Speaker,
West Bengal Legislative
Assembly.''

CALCUTTA,
The 1st September, 1954.

(2)
"Message.

The West Bengal Secondary Education (Temporary Provisions) Bill, 1954, as passed by the West Bengal Legislative Assembly at its meeting held on the 1st September, 1954, has been duly signed by me and is annexed herewith. The concurrence of the West Bengal Legislative Council to the Bill is requested.

SAILA KUMAR MUKHERJEE,

Speaker,
West Bengal Legislative
Assembly."

CALCUTTA,

The 2nd September, 1954.

Sir, I lay on the table copies of these Bills.

OUESTIONS

(to which oral answers were given)

Primary schools within tea estates in Jalpaiguri and Darjeeling districts.

- 1. Sj. Charu Chandra Sanyal: Will the Hon'ble Minister-in-charge of the Education Department be pleased to state—
 - (a) the number of primary schools in each of the tea estates under—
 - (i) Indian management, and
 - (ii) Non-Indian management;
 - (b) the number of students in each of the two groups;
 - (c) the number of students of labouring class (Tribes) who have passed the Primary Final Examination in the last three years (figures may be given subdivisionwise in each district); and
 - (d) the amount spent by the Government and by the School Board for the maintenance of above primary schools in the district of Jalpaiguri and also in the district of Darjeeling?

Minister-in-charge of the Education Department (the Hon'ble Pannalal Bose): (a) to (d) Statements are laid on the Table.

79,644

Statement referred to in reply to clauses (a) and (b) of question No. 1.

District.		Primary schools.		Students.	
District.		Indian manage- ment.	Non-Indian manage- ment.	Indian manage- ment.	Non-Indian manage- ment.
Cooch Behar		1	Nil	43	Nil
Jalpaiguri		40	111	2,218	5,431
Darjeeling	• •	16	64	736	3,265
		57	175	2,997	8,696

Statemen	t referred t	o in reply to clause (c) of quest	ion No. 1.			
District.		Subdivision.	pas	Number of students passed during the last three years.		
Cooch Behar		Nil		Nil		
Jalpaiguri	••	Sadar Alipur Duars	••	121 132		
Darjeeling		Sadar Kurseong Kalimpong Siliguri	••	79 27 16 10		
Statement	referred to	in reply to clause (d) of questio	n No. 1.			
District.		Amount spent by Government.		District School Board or District Board.		

District.		Amount spent by Government		School Board or District Board.
		Rs.		Rs.
Darjeeling Grant.	Development	10,286	For ordinary prima schools.	ary 6,397*
Dearness allow	ance	4,107		
Enhancement of pay		4,972		
		19,365	•	
Jalpaiguri Grant.	Development	41,016		
Dearness allow	ance	13,586	Teachers' salary	61,704
		54,602	District allowance teachers.	to 6,768
			Dearness allowance of t Board.	the 8,460
			Contingency	2,712

^{*}By the District Board, Darjeeling. †By the District School Board, Jalpaiguri.

Sj. Debendra Sen: Will the Hon'ble Minister be pleased to state what is the number of primary school-going children in these three tea estate areas of Cooch Behar, Jalpaiguri and Darjeeling?

The Hon'ble Pannalal Bose: The total number of primary schools in Cooch Behar——

Sj. Debendra Sen: I am not asking about the number of schools in Cooch Behar. I am asking about the number of primary school-going children in these areas.

The Hon'ble Pannalal Bose: The number is given there.

Sj. Debendra Sen: The number given is the number of pupils who attend the schools. I want to know the number of pupils who could come to the schools.

The Hon'ble Pannalal Bose: It is not possible to give the number of school-going pupil who could attend the schools.

Sj. Debendra Sen: Is it the policy of Government to depend upon the owners of the tea estates to start organising schools or does the Government like on its own accord to start schools?

The Hon'ble Pannalal Bose: In this case only one Indian managed tea estate got a school consisting of 43 students.

Recognition of Works and Buildings Employees' Union.

- 2. Dr. Monindra Mohan Chakrabarty: Will the Hon'ble Ministerin-charge of the Works and Buildings Department be pleased to state—
 - (a) if it is a fact that the Works and Buildings (formerly Communications and Works Department) Employees' Union has not been recognised by the Government; and
 - (b) if so, the reason therefor?

Minister-in-charge of the Works and Buildings Department (the Hon'ble Khagendra Nath Das Gupta): (a) No such Union has been recognised by Government so far.

Answers

(b) Because no formal request for recognition has so far been received by Government.

Dr. Monindra Mohan Chakrabarty: Will the Hon'ble Minister be pleased to state whether such recognition will be granted if applications are made?

The Hon'ble Khagendra Nath Das Cupta: The applications may be considered if they fulfil the conditions laid down.

Sj. Debendra Sen: Will the Hon'ble Minister be pleased to state what is the policy of Government with regard to giving recognition to similar unions?

The Hon'ble Khagendra Nath Das Cupta: The policy of the Government is that an association may be recognised if that association complies with the provisions laid down in the rules made for the purpose of recognition of association of Government employees.

Sj. Debendra Sen: Will the Hon'ble Minister be pleased to state whether there is any single union in the State of West Bengal which has been recognised by the West Bengal Government?

The Hon'ble Khagendra Nath Das Gupta: Yes.

Sj. Debendra Sen: Will the Hon'ble Minister be pleased to state the name of any association which has been given recognition by the Government of West Bengal?

The Hon'ble Khagendra Nath Das Gupta: In my department there is a union called the West Bengal Work Sarkers' Association which received recognition.

Scales of pay of the workers under Covernor's Estate.

- 3. Sj. Debendra Sen: (a) Will the Hon'ble Minister-in-charge of the Works and Buildings Department be pleased to state—
 - (i) whether it is a fact that workers under the Governor's Estate who were before 1st March, 1949, designated as malis are, since the introduction of the new scales of pay from 1949, being designated as mazdoors;
 - (ii) whether it is a fact that the new scales of pay for malis are higher than those of the mazdoors; and
 - (iii) whether he has received any representations from the workers and their Union urging removal of this disparity in their pay-scale?
- (b) If so, will the Hon'ble Minister be pleased to state what steps are being taken in the matter?

The Hon'ble Khagendra Nath Das Gupta: (a) (i) Yes, but only in the case of unskilled workers employed in the gardens.

- (ii) Yes.
- (iii) Yes, from some unskilled workers, but not from any recognised Union.
- (b) Government, after due consideration, could not agree to grant same rates of pay to both skilled and unskilled workers.
- **Sj. Debendra Sen:** Arising out of answer (b) will the Hon'ble Minister be pleased to state whether these unskilled workers were designated as malis before the revision of scales of pay took place?

The Hon'ble Khagendra Nath Das Gupta: Before the introduction of the new scale of pay they were popularly and loosely called malis or khalasis but in their pay bills they are designated as mazdoors.

[10-15—10-20 a.m.]

Sj. Debendra Sen: Will the Hon'ble Minister be pleased to state whether it is a fact that while they were designated as malisthere was no separate pay scale for the mazdoors at that time?

The Hon'ble Khagendra Nath Das Cupta: Will you please repeat the question?

Sj. Debendra Sen: My question is this. They were designated either as *malis* or *khalasis* and there was no separate pay scale for *mazdoors* and there was no separate designation for *mazdoors* at that time.

The Hon'ble Khagendra Nath Das Gupta: In 1939 when the new pay scale was introduced, a clear distinction was made amongst the khalasis, malis and mazdoors in the light of the work they were to perform according to their skill.

Sj. Debendra Sen: Will the Hon'ble Minister be pleased to state whether those who were malis were subsequently demoted as mazdoors and given the pay of mazdoors?

The Hon'ble Khagendra Nath Das Gupta: N_0 .

Approved list of daily newspapers.

- 4. Sj. Annada Prosad Choudhuri: Will the Hon'ble Ministerin-charge of the Home (Publicity) Department be pleased to state—
 - (a) the names of the daily newspapers which are in the approved list of the Government of West Bengal;
 - (b) when the Loke Sevak was included in the approved list;
 - (c) whether it still continues to be in the approved list;
 - (d) if not, why not and the date on which it was removed;
 - (e) what are the rules for including a paper in the approved list of the Government of West Bengal;

- (f) whether a paper is included in the approved list for the purpose of advertisements only; and
- (g) if not, what are the other purposes for which a paper is included in the approved list?

Minister-in-charge of the Home (Publicity) Department (Sj. Gopika Bilas Hon'ble Dr. Bidhan Chandra Roy): (a) The Government of West Bengal do not maintain any approved list of daily newspapers.

(b) to (g) Do not arise.

Dr. Monindra Mohan Chakrabarty: Will the Minister be pleased to state why advertisements were not given to Loke Secak?

- Sj. Copika Bilas Sen Gupta: We select the media for distribution of advertisements according to nature οť advertisements and the class of readers to be reached and the Government policy towards any newspaper which persists in virulent propaganda continually inciting communal trouble or exciting disaffection towards Government is that no Government advertisement shall be given to such newspapers.
- Sj. Nirmal Chandra Bhattacharyya: Will the Hon'ble Minister kindly explain what is meant by 'disaffection against Government''? The Government means the Cabinet?

The Hon'ble Dr. Bidhan Chandra Roy: Want of affection is disaffection.

- Dr. Monindra Mohan Chakrabarty: Will the Hon'ble Minister be pleased to state whether the daily Loke Sevak falls under this category?
- Sj. Gopika Bilas Sen Gupta: Yes, it does.
- Sj. Nirmal Chandra Bhattacharyya: Is the Hon'ble Minister aware that that is not the judicial interpretation put upon the word "disaffection".

- Mr. Chairman: It is a matter of opinion.
- Sj. Nirmal Chandra Bhattacharyya: Will the Hon'ble Minister be pleased to state if they are sending advertisements regularly to Jana Scrak?
- Sj. Copika Bilas Sen Cupta: I want notice.
- Dr. Monindra Mohan Chakrabarty: Will the Minister be pleased to state what are the other newspapers to which the Government sends advertisements?
- Sj. Copika Bilas Sen Cupta: We have already stated that. We have no approved list. According to the nature of the advertisements and according to the nature of the paper we distribute advertisements. Therefore it is not a fact that we have got any approved list to distribute advertisements.
- Sj. Nirmal Chandra Bhattacharyya: Will the Hon'ble Minister be pleased to state if he thinks that Loke Serak belongs to the objectionable category of newspapers?

The Hon'ble Dr. Bidhan Chandra Roy: It is not a question of thinking. It is a matter of opinion.

- Sj. Nirmal Chandra Bhattacharyya: Will the Hon'ble Minister please state if it is the policy of the Government to finance indirectly the paper known as Jana Serak?
 - Sj. Gopika Bilas Sen Gupta: No.

Appointment of Special Officers.

- 5. 8j. Annada Prosad Choudhuri: (a) Will the Hon'ble Minister-in-charge of the Home (General Administration) Department be pleased to state—
 - (i) whether the Government of West Bengal have appointed any Special

- [Sj. Annada Prosad Choudhuri.] Officer drawing salary of Rs. 500 or more per month since the publication of the Civil List; and
 - (ii) if so, will, the Hon'ble Minister be pleased to state the number and the posts to which they have been appointed?
- (b) Whether the Public Service Commission was consulted in making the appointments. If not, why not?

Minister-in-charge of the Home (General Administration) Department (the Hon'ble Dr. Bidhan Chandra Roy: (a) (i) Yes.

Answers

- (ii) A statement is laid on the Table.
- (b) Yes, in six cases, and informed in two cases. The Commission was also asked to advertise and select suitable candidates for three cases. In the remaining cases, the Commission was not consulted under Regulations 40 and 41 of the Public Service Commission Regulations.

Statement referred to in reply to clause (a) (ii) of question No. 5.

Special Officer, Home Department	• •	••	• •	••
Special Officer, Home (Defence) Depa	rtment	••	••	••
Special Officer, Home (Police) Depart	ment	• •	••	••
Special Officer, Home (Jails) Departm	nent	• •	••	• •
Special Officer, Employment	••	••	0-0	•••
Additional Special Officer, Employme	ent	• •	••	0-0
Special Officer, Legislative Department	nt		••	0+0
Industrial Adviser	••	••	••	•••
Production Officer, Publicity Departs	nent	••	••	••
Adviser, Folk Entertainment Scheme	• •	• •	••	• •
Special Officer, Excise Department		••	••	••
Accounts Officer (in the Sheriff's offic	e)		• •	•••
Special Officer and ex-officio Secretary	y, Finance i	Department	t	•••
Special Officer and ex-officio Deputy	Secretary,	, Finance I	Pepartment	••
Special Officer and ex-officio Deputy Department	Secretary,	Land and	Land Reve	enue ••
Special Officer and ex-officio Director	of Land R	ecords and	Surveys	
Special Officer, Land and Land Reven	ue Departr	ment	•••	
Part-time Engineering Adviser, Local	Self-Govern	nment Depa	rtment	~ •••
Special Officer and ex-officio Assistant S litation Department	Secretary, F	Refugee Reli	ef and Reha	abi-
Special Officer (Women's Training)	Pofuso 1	Daliaf and	Dahahilitat	ion
Department	, iveragee i	FACTICE WHAT		.10II
Special Officer (Inspection), Refugee F	Relief and F	Rehabilitatio	on Departm	ent
Special Officer and ex-officio Assistant	Secretary,	Education	Departmen	t
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sj. Nirmal Chandra Bhattacharyya: Will the Hou'ble Minister be pleased to state if it is a fact that the Government has been increasingly resorting to Regulations 40 and 41 in order to escape the vigilance of the Public Service Commission?

The Hon'ble Dr. Bidhan Chandra Roy: It is not a fact.

Repair of roads connecting Kharar and Ramjibanpur with Chatal-Chandrakona Road by Food Department.

- 6. Sj. Annada Prosad Choudhuri: Will the Hon'ble Ministerin-charge of the Food, Relief and Supplies Department be pleased to
 - (a) if it is a fact that the Food
 Department had to spend
 some money for the repair
 of the roads connecting the
 Municipalities of Kharar
 and Ramjibanpur in
 Midnapore with the
 Ghatal-Chandrakona Road
 either directly or through
 the Midnapore District
 Board; and
 - (b) if so, how much money the Food Department spent for each of the said roads?

Minister-in-charge of the Food, Relief and Supplies Department (the Hon'ble Prafulla Chandra Sen: (a) Yes.

(b)

Amount spent.

1951-52. 1952-53.

Rs. Rs.

Ramjibanpur to Ghatal. .. 13,924 5,690 Chandrakona Road

Kharar to Ghatal ... 8,622 Nil. Chandrakona Road

8j. K. P. Chattopathyay: Is the Hon'ble Minister aware that the condition of the Kharar-Ghatal Road was deplorable even in January, 1952 and June, 1952? I can say that because I travelled on that coad at both these times.

The Hon'ble Prafulla Chandra Ben: That is a matter of opinion. I have no personal experience.

Sj. K. P. Chattopadhyay: Will the Hon'ble Minister kindly find out whether the repairs were carried out or whether the money was well-spent?

Answers

The Hon'ble Prafulla Chandra Sen: So far as I am aware the money was very well spent.

Corrugated iron sheets for Kalyani Congress Session.

- 7. Sj. Annada Prosad Choudhuri: (a) Will the Ilon'ble Minister-in-charge of the Supplies Department be pleased to state whether any quantity of corrugated iron sheets was supplied by the Government to be used at the Congress Session at Kalyani?
 - (b) If so—
 - (i) what was the quantity and what was the condition of supply;
 - (ii) to whom the supply was made;
 - (iii) whether the sheets have been taken back; and
 - (iv) whether any loss has been suffered by the Government on that account and, if any, the amount of loss?

Minister-in-charge of the Supplies Department (the Hon'ble Prafulla Chandra Sen): (a) No.

(b) Does not arise.

[10-20—10-25 a.m.]

Notice of an adjournment motion.

8j. Debendra Sen: Sir, I have tabled a motion for adjournment—

The Hon'ble Prafulla Chandra Sen: Sir, 8th September may be fixed for——

Mr. Chairman: I realise the gravity of the situation. It is an act of God—this visitation of Nature. It is beyond human control. I understand that the Ministry is going to make a statement in this connexion and then there will be some discussion.

Nirmal Chandra Bhatta-8j. charyya: But the Leader of the House has agreed to fix a day—

Laying of

The Hon'ble Prafulia Chandra Sen: Sir, a statement regarding flood situation circulated in the other House will be circulated in this House and discussion on that statement may take place on the 8th.

Nirmal Chandra Bhattacharyya: The adjournment motion is admitted-

Mr. Chairman: It is not admitted. As I said earlier, I realise the gravity of the situation. Now, a statement will be made by Government and there will be sufficient time to read that and then discussion will be allowed on the statement on that particular date.

Nirmal Chandra Bhattacharvva: We understood Leader of the House Mr. P. C. Sen to state that he would like to fix a particular date for the discussion of the adjournment motion.

The Hon'ble Prafulla Chandra **Sen:** I have alreay stated that there will be a discussion on this statement.

Mr. Chairman: I accept the 8th September for discussion of the statement and in the meantime you read the statement made by the Minister concerned.

LAYING OF ORDINANCES.

The Bengal Municipal (Amendment) Ordinance, 1954.

The Hon'ble Iswar Das Jalan: Sir, I beg to lay before the Council Bengal Municipal (Amend-Ordinance, 1954 (West ment) Bengal Ordinance No II of 1954), under Article 213 (2)(a) of the Constitution of India.

The West Bengal Secondary Education (Temporary Provisions) Ordinance, 1954.

The Hon'ble Pannalal Bose: Sir, I beg to lay before the Council the West Bengal Secondary Education

(Temporary Provisions) Ordinance, (West Bengal Ordinance No. III of 1954), under Article 213(2)(a) of the Constitution of India.

Ordinances

The West Bengal Estates Acquisition (Amendment) Ordinance, 1954.

The Hon'ble Satyendra Kumar Basu: Sir, I beg to lay before the Council the West Bengal Estates Acquisition (Amendment) nance, 1954 (West Bengal nance No. IV of 1954), under Article 213(2)(a) of the constitution of India.

Bengal Bargadars West (Amendment) Ordinance, 1954,

The Hon'ble Satyendra Kumar Basu: Sir, I beg to lay before the Council the West Bengal Baryadars Ordinance, (Amendment) (West Bengal Ordinance No. V of 1954), under Article 213(2)(a) of the Constitution of India.

The Bengal Development (Amendment) Ordinance, 1954.

The Hon'ble Ajoy Kumar Mu**kherji:** Sig, I beg to lay before the Council the Bengal Development (Amendment) Ordinance, (West Bengal Ordinance No. VI of 1954), under Article 213(2)(a) of the Constitution of India.

The West Bengal Private Forests (Amendment) Ordinance, 1954.

The Hon'ble Hem Chandra Naskar: Sir, I beg to lay before the Council the West Bengal Private Forests (Amendment) Ordinance, (West Bengal Ordinance No. VII of 1954), under Article 213(2)(a) of the Constitution of India.

The West Bengal Baryadars (Second Amendment) Ordinance, 1954.

The Hon'ble Satyendra Kumar Basu: Sir, I beg to lay before the Council the West Bengal Bargadars (Second Amendment) Ordinance,

Bengal Ordinance (West No. VIII of 1954), under Article 213(2)(a) of the Constitution of India.

[10-25-10-30 a.m.]

Laying of Appropriation Finance Accounts for 1951-52 and the Audit Reports.

Bidhan Hon'ble Dr. Chandra Roy: Sir' I beg to lay before the Council-

- (a) Appropriation Accounts of the Government of West Bengal for 1951-52 and the Audit Report, 1953.
- (b) Finance Accounts of the Government of Bengal for 1951-52 and the Audit Report, 1952.

COVERNMENT BILLS.

Bengal Municipal (Second Amendment) Bill, 1954.

The Hon'ble Iswar Das Jalan: Sir, I beg to move that the Bengal Municipal (Second Amendment) Bill, 1951, as passed by the Assembly, be taken into considera-

Sir, the Bill is a very simple Bill. Under section 554 of the Bengal Municipal Act, whenever a muniripality is superseded and an Administrator is appointed, the powers conterred on the Commissioners under the Bengal Municipal Act, .932, vested in the Administrator, out no reference was made to the powers which vested in the Commisioners under other laws. For insance, in Howrah the Calcutta funicipal Act has been extended. limilarly there are powers vested nder the Vaccination Act, the lattle Trespass Act, etc. It was a acuna which we discovered in the ct and consequently this lacuna ras corrected by an ordinance. his Bill as passed by the Assembly simply put in the shape of a ill, and I do not think it will equire much discussion. I thereire move that this Bill be taken ito consideration.

Mr. Chairman: If any member wishes to speak, he may do so.

No member rose to speak.]

The motion was then put and agreed to.

Mr. Chairman: There are no amendments to clauses.

Clauses 1 to 3.

The question that clauses 1 to 5 do stand part of the Bill was then put and agreed to.

Preamble.

The question that the Preamble do stand part of the Bill was then put and agreed to.

The Hon'ble Iswar Das Jalan: Sir. I beg to move that the Bengal Municipal (Second Amendment) Bill, 1954, as settled in the Council, be passed.

The motion was then put and agreed to.

West Bengal Secondary Education (Temporary Provisions) Bill, 1954.

The Hon'ble Pannalal Bose: Sir. I beg to move that the West Bengal Secondary Education (Temporary Provisions) Bill, 1954, as passed by the Assembly, be taken into consideration.

Sir, all I would say in support of this Bill is that the reasons for bringing this measure will be clear from the Statement of Objects and Reasons of the Bill itself. You will observe that the object of the Bill is to reorganise secondary education; that is the main object and for that purpose supersession of the Board was necessary.

Nirmal Chandra Bhattacharyya: We have not got any Statement of Objects and Reasons in the Bill. The Hon'ble Minister has referred to the Statement of Objects and Reasons and we have not got it.

The Hon'ble Prafulla Chandra Sen: That is as passed by the Assembly, so you have not got that statement.

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The Hon'ble Pannalal Bose: will mention the objects at once.

Mr. Chairman: I think members have seen it published in the Gazette where the statement appeared.

The Hon'ble Iswar Das Jalan: When it comes to this House you don't get the Statement of Objects and Reasons.

[10-30-10-35 a.m.]

The Hon'ble Pannalal Bose: The says "whereas it is Bill itself expedient to re-organise the administration of secondary education of West Bengal and pending such reorganisation to supersede the Board of Secondary Education and certain other bodies and to provide for certain connected matters.' Now the objects and reasons, I may state at once, are contained in a press-note which was issued some time before and to which a sort of answer was given by some members of the Board, Lest these reasons have been overlooked or forgotten, I may repeat them for the benefit Firstly, it is the of the members. decision of the Government that the Board is not competent to carry out the object of the Act, namely, the improvement and development of secondary education. Secondly, the Board is disentitled to any consideration whatsoever not because of personal reasons but because the (fovernment thinks that not only the present members taken as a whole, not individually, but the Board itself must be removed or changed so that the object of secondary education may be attained. I mention few acts a amongst others. One of them is that the Board recognised inefficient schools.

Dr. Monindra Mohan Chakrabarty: Will you be pleased to give all the reasons set forth in the press communique which superseded the Board of Secondary Education?

The Hon'ble Pannalal Bose: If you like I can read the press-note.

The irregularities and acts of mismanagement which have led Government to decide the supersession of the Board are amongst others as follows: (1) Granting recognition to schools against the advice of the inspecting officers or without any inspection at all; (2) giving grantsin-aid to schools which did not conform to the rules prescribed for the purpose; (3) failure to distribute grants-in-aid to a large number of schools in proper times resulting in hardship to those institutions; (4) prescribing text books on considerations other than the suitability of the books prescribed; (5) failure to ensure a proper scrutiny of the questions set forth in the School Final Examination with the result that serious mistakes crept in and questions were set from pieces not covered by the syllabus and postponing of examinations on several occasions and (6) failure to ensure secrecy of the questions set with the result that there was a leakage of questions on some subject prior to holding of the examination.

[10-35—10-40 a.m.]

These are some of the reasons. (Dr. Monindra MOHAN CHAKRA-BARTY: Was it due to the failure on the part of the Board to formulate development plans?) Yes, it comes later on. Government felt that this state of affairs cannot be allowed to continue any longer in the interest of the students and secondary schools alike. And therefore Government have appointed an Administrator. As I said before, the object is to supersede with a view to reconstructing the Board in a different manner so that the new Board might carry out the particular object connected with the secondary education of the State. Now I would not dwell upon these particular irregularities. should like to say that from the proceedings of the Board which Government have taken the trouble to read, it does not appear that the Board has a clear conception of what their duties are with regard to the secondary education in this State. The Board was constituted

to regulate, control and develop They have secondary education. done nothing to develop secondary education in direct breach of a section in the Act itself, viz., section 34. And so far as regulation and control is concerned, all that I need say is that they recognized inefficient schools and, what is more, rewarded them with grants so that inefficient schools went on increasing though they had no staff. The original inspecting practice at the time the University was controlling secondary education that the inspections were made by the staff of the Director of Public Instruction; that inspection continued for some time. The Board claimed the right to hold inspections on its own account which they did in some cases, not all, and after these inspections or without inspection they recognized schools which were not entitled to recognition according to their own rules which they had framed. It appears, therefore, as I may have occasion to point out, what the Board was trying to achieve was not secondary education such as this State needed, but power to control it for some purpose other than the development of the secondary schools. This is a very strong expression but I say this deliberately because all their proceedings do not show that the Board has shown any idea of the present conception of secondary education. But it goes on protecting and maintaining the old system of secondary education as it is in the schools without any idea of what secondary education ought to be in a modern State. You are aware that it has been said and you all agree, I believe, that the weakest link in our educational system is the secondary education. There have been speculations, discourses and discussions on how the secondary education ought to be improved. I do not find the slightest trace or any idea of that in any of the proceedings. Therefore mere change of the numbers will not do, because it appears under the present constitution the Board might admit people whose mind may not be altogether foreign to the idea of education but

who are reluctant to admit new ideas and to regulate, control and develop secondary education in this State.

[10-40—10-45 a.m.]

- Mr. Chairman: There are three amendments and they may be taken together and moved.
- Sj. Debendra Sen: Sir, I beg to move that the Bill be circulated for the purpose of eliciting opinion thereon by the 31st December, 1954.
- Sj. Nirmal Chandra Bhattacharyya: Sir, I beg to move that the Bill be circulated for the purpose of eliciting opinion thereon by the 3rd October, 1954.
- Dr. Monindra Mohan Chakrabarty: Sir, I beg to move that the Bill be circulated for the purpose of eliciting opinion thereon by the 30th September, 1954.
- Si. Nirmal Chandra Bhatttacharyya: Mr. Chairman, Sir, the motion that stands in my name is an eminently reasonable and moderate one and I do not suppose that there should be any difficulty in accepting this motion. Sir, I do not say that the Bill is to be rejected. I merely say that the Bill be circulated for elucidation of public opinion. Sir, the case for the elucidation of public opinion is very strong today. When elections to the Council from the Teachers' Constituencies in the Presidency Division South and Presidency Division North were taking place the Ordinance superseding the Board of Secondary Education came. became one of the issues of the elections. In both these elections the Congress candidates, supporting the Government point of view and I take it supporting the Government point of view in the matter of supersession of the Board of Secondary Education, were very soundly beaten. Two constituencies have definitely declared their opinion against the supersession. Since supersession two conferences of teachers have taken place. In the

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first place the college and University teachers met in a conference in Calcutta. They adopted a resolution-I ought to say a strongly worded resolution—condemning the arbitrary supersession of the Board in contravention of the provisions of the Secondary Education Board Act of 1950. The secondary school teachers met at another conference at Berhampore. There also a strongly worded resolution was passed. These two resolutions in these conferences show the nature of the public opinion today in the country, particularly the opinion of the teaching community of this State. In view of the opinion that has been expressed by the organised bodies of teachers it is necessary, Sir, that the matter should be referred to the people for the elucidation of their opinion. Sir, I say that there is a case for elucidation of public opinion because the method adopted by the Government in the matter of supersession has been an extraordinary one.

[10-45-10-50 a.m.]

The method that they chose to adopt was absolutely in contravention of the provisions of the law. Sir, one of the charges against the Board of Secondary Education was that they exceeded their powers. Sir, if they had exceeded their powers, then Government might have taken recourse to section 54 of the Act. Section 54 of the Act provides that, if the Government feel that by means of a resolution the Board is going to do something which is in contravention of the powers given to the Board by the Act, then they Advocatethe consult General, West Bengal, and with his advice order the Board not to proceed with the Act or not to give effect to the resolution concerned. They failed to do so. Secondly, Sir, section 55 of the Act provides that the Government are entitled to realso, but Board constitute the under certain conditions. It has been provided by section 55 that the Government shall formulate their

charges and send their charges to the Board. The Board will give a reply. The charges of the Government together with the reply shall have to be referred in accordance with the provisions of section 55 to an investigation commission, and then of course on the report of the commission the Government may take whatever measures they like towards the reconstitution of the Board. All these provisions were flouted by the arbitrary order of It is for this the Government. reason, Sir, that I argue that there is a very strong case for the circulation of the Bill. Sir, the Education Minister has stated that there are strong grounds upon which supersession appears to be absolutely justified. The first ground mentioned by him is granting recognition to schools not recommended for recognition by the Inspectors. Sir, you are aware that the Board of Secondary Education does not possess any Inspectorate of its own. The Inspectors are Government servants; they have not faithfully carried out the orders of the Board. The result has been that the reports have been considerably delayed very often. In the meantime the school committees have waited for recognition. pupils of the schools have suffered and at the last moment perhaps the Board thought that it would be desirable to grant recognition. Sir, the rules that are applicable to recognition of schools are sometimes very stringent. In view of the social and economic conditions of our country it is desirable that we should **not** apply stringent rules to the recognition of schools. The demand for education is very great. The number of schools is very small. You are aware, Sir, that for every 30,000 of the population there is one secondary school. That is too small a number for the purpose of the school-going popula-tion of the State of West Bengal. It is therefore necessary that we should have a larger number of schools. The Inspectors at the instigation of the Government have in fact refused to recommend schools for which there are demands in the

localities and which may really be recognition without great harm to the system of secondary education in the State. if you apply here the standards that are applicable to the recognition of schools in more fortunate England countries like America, then there would be very tew schools in our country. In view of our economic and social backwardness it is necessary that we should not insist on very stringent rules.

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[10-50-10-55 a.m.]

The Board of Secondary Education in the matter of granting recognition took into consideration the demand of the people for the spread of secondary education. The Board could not withhold the recognition of certain schools for long as the inspection reports were not torthcoming. That has been made a ground for supersession. It is for you to judge if it is at all justified. Sir, it has been argued by the Hon'ble Minister that grants have been given to inefficient schools. When there is demand for schools and when the Board in its discretion thinks that it is necessary to recognise a school in order that the pupils of the locality might get some kind of education, and that grants ought to be given, it is no use arguing that certain grants were given after the school is recognised. Grants must be given in order that the schools might be able to stand on their own legs. It has been argued that the Board failed to distribute the grants in proper time. If this be used as a weapon against the Board of Secondary Education this weapon may equally be applied against the Minister of Education when be failed to come to the aid of the poor primary school teachers in proper time with the result that they had to suffer tremendously. One of the arguments that has been advanced that the Board has failed to distribute grants in proper time but the self-same indictment can be made against the whole Government including the Chief Minister for inordinate delay in the case of pri-

mary school teachers. The fourth argument that has been advanced . in the so-called press-note of the Government is that books which are of indifferent quality have been prescribed. Sir, the committee that has prescribed them is an expert The Administrator comes along and says that these books are not good at all. Is that an argument which any intelligent and respectable man can accept? There are on the Board men like Sj. Kamini Ghosh and expert educationists like Shrimati Anila Debi. There others also including the Director of Public Instruction. They looking after the management of the Board including the books that are being prescribed for boys and girls of the secondary schools. The Administrator comes along and sits in judgment on the expert educationists who are on the syllabus committee. The next argument that has been advanced by the Education Minister is that the Board has failed to ensure proper scrutiny of the question papers resulting in mistakes and consequent postpone-ment of examinations. This is a matter, you are aware, that is dealt with by the permanent officials. The permanent officials including the President are responsible for these little things. The question papers are really the special charge of these permanent officials. It is no use foisting this blame upon the Board and then superseding it. It is, therefore, a charge which has no legs to stand upon. It has also been argued that the Board has failed to secure secrecy of question papers. You are aware that it is the President and the permanent officers who were concerned with the printing of question papers and with the distribution of question papers to the different centres. Would you hold the members of the Board responspersons ible for which the responsible are the President and other subordinates of the President. But in order to give the Board a bad name would you attribute all these failures to the Board and then supersede it in a very arbitrary manner. As I speak on this Bill I

[Sj. Nirmal Chandra Bhattacharyya.]

am considerably handicapped. I have the greatest regard personally for the Hon'ble Education Minister but my views about him as a Minister are very much different.

[10-55-11 a.m.]

When I think of him I think of a pitiful figure, of a shadow of a Minister, a person in the hands of his Secretary flouted by and cowering before him. That is the picture which comes to my mind when I think of Mr. Pannalal Bose as an Education Minister. The mischiefmaker is lurking behind his pitiful shadow. I am afraid, Sir, the Chief Minister of West Bengal is suffering from a kind of supersession mania. Today it is the Corporation of Calcutta, tomorrow it Howrah Municipality, another day it is another municipality and again it is the Board of Secondary Education. That is how he has been trying to destroy democracy in West Bengal. Sir, the reformed machinery of the secondary education in Bengal has had a chequered history since the publication of the report of the Saddler Commission in 1919. There have been up to 1950 as many as eleven attempts to bring into existence some kind of machinery for the control and superintendence and development of secondary education in this State. All attempts, Government and nonofficial conferences, have failed for some reason or other. It must be said to the credit of Rai Harendra Nath Chaudhuri that he succeeded in placing on the Statute Book an Act which according to him is very largely autonomous. Sir, before this act came into existence, this Act was placed on the Statute Book. Rai Harendra Nath Chaudhuri initiated the movement against the infamous Secondary Education Bill of 1940 for which our very respected friend Nawab Musharruf Hossain was responsible, the Bill of 1940. Sir, we are aware that in connection with the Bill there was in Bengal a tremendous agitation. This agitation was led by Dr.

Syama Prasad Mookerjee, Acharya Prafulla Chandra Roy and Mr. Atul Gupta and others. The resolution that was adopted at the Bengal Secondary Education Protest Conference, the protest conference that was held to protest against the Bill of 1940, the infamous measure that was sought to be placed on the Statute Book by the League Government, is very significant. The resolution in fact stands for freedom in education and it was really a protest against an attempt on the part of Government to officialise secondary education. One of the clauses of the resolution runs as follows:—"The Bill makes the interest of education subservient to political considerations. That is our charge against the present Government." It also said "The Bill is designed to officialise secondary education and to place it under complete Government control. That is again our charge." Sir, no less a person than Dr. Tagore associated himself with the great movement that was initiated by men like Acharya Prafulla Chandra Roy. In course of a message Dr. Tagore said "No external power can deprive us of freedom in the sacred shrine of learning or compel us to compromise our integrity by menace or fear or favour." Amongst those who spoke at the Conference were our Vice-President of the Indian Republic, Dr. Sarvapalli Krishnan and the Governor of the Province Dr. Harendra Coomar Mookerjee. Sir, will you be surprised to learn that the Working Committee that we had appointed included Dr. B. C. Roy? Dr. B. C. Roy was at that time a great advocate of democracy. Overnight he has become an enemy of democracy. Sir, the speech that Rai Harendra Nath Chaudhuri delivered in connection with the Bill is very significant.

[11—11-5 a.m.]

His speech delivered on the 27th March, 1950, in connection with the West Bengal Secondary Education Bill in part reads as follows:—
"Now ,Sir, in enacting the Bill before us we are taking a very large

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step in advance of the other provinces." Sir, he congratulated the Assembly on the very useful piece of legislation that Assembly agreed to. (THE HON'BLE PRAFULLA CHANDRA SEN: Then it had the support of Dr. B. C. Roy?) Yes, but like a chameleon he has changed colour. Rai Harendra Nath Chaudhuri further said "It was definitely a matter of great pleasure that it has been possible for this Assembly to place this well-framed Secondary Education Bill based on democratic principles on the Statute Book". Sir, it is departing from the great principle for which men like Dr. Rabindra Nath Tagore stood when the protest meeting was held in December, 1940. Dr. Roy, in fact, has been adopting this policy of supersession not only in education but also in other spheres of democratic development. His name, I have no doubt, will go down in history of West Bengal as Kalapahar of the nascent democracy in this State.

Sjkta. Anila Devi:

মাননীয় সভাপতি মহাশয়, শুদ্ধেয় ভটাচায্যি महानग्र मथा निका विनक्क जनममस्क शुहारवर জন্য যে এমেওমেন্ট এনেছেন আমি তাব পূর্ণ সমর্থন কবছি। পর্ণ সমর্থন কবচি এই জন্যই যে আজ আমাদেব মাননীয় শিক্ষামন্ত্রী মহাশ্র তাঁর निष्कत ভाषत्न बदलहरून त्य माधामिक निका नवहरूय প্রয়োজনীয এবং আমাদের পশ্চিম বাংলায় সে শিক্ষা অত্যন্ত দুর্বল । এই দুর্বলতার জন্যই তার সংস্থাবের প্রয়োজন, এবং সেই উদ্দেশ্ব্যে এই বিলকে আইনে পরিণত করবার জন্য উপস্থিত আমি মনে কবি সেকেগুবি এডুকেশন বোর্ডএর পক্ষ থেকে কতকগুলি ক্রটা ঘটেছে, সেই ক্রটা কেন ঘটেছে জন সমাজেৰ সামনে সেটা প্রচাবিত হওয়া পুয়োজন। না হলে পব, সাধারণ মনুষ বিশেষ কুবে গত স্কুল ফাইানল প**ীক্ষা**য় যে বিশ্রাট ঘটেছে তাব জন্য যে বিক্রু হবেন, এটা খুব স্যাভাবিক। এই বোর্ডেব ধানিকটা গণতান্ত্ৰিক চেহাবা থাকা সম্ভেও তাব নধ্যে যে গণতপ্তেব বিশেষ কোন অবকাশ ছিল না সে কণা জন সমক্ষে পুচারিত হওযা পুরোজন। আজ-কের দিনে সাধীন পশ্চিম বাংলায় মাধ্যমিক শিকা কেন দুর্বল, তার জন্য মাধ্যমিক শিক্ষা বোর্ড দায়ী কতথানি, সেটা জনস্মান্তের নিকট পুচারিত হওয়া আবশ্যক। সমস্ভ শিক্ষাক্ষেত্ৰকে না দেখে কোন একটা বোর্ডকে যদি বিছিন্য অবস্থায় দেখা যায় তাহলে তার যে কোন একটা ক্রটী বড করে ধরে নিয়ে তাকে অপবাধীর পর্য্যায় ফেল। খ্ব কঠিন নয়। কিন্তু সেই ক্রনী কেন ঘটছে, ভবিঘ্যতে সেই ক্রানী কি করলে আব ঘটতে পাবুরে না গে সম্বন্ধে বিশ্বেষণের প্রয়োজন রয়েছে। আজকে এখানে দাঁডিয়ে মনে হচেছ আমাদেব শিক্ষা কেত্ৰেব অবস্থাটা কি ? যদি সামগ্রিক শিকা নিয়ন্ত্রণ যন্ত্রেব দিকে দৃষ্টিপাত করা যায় তাহলে পথমে আমাদেব শিকামজী বয়সের পুতি পবিপূর্ণ শুদ্ধা থাকা সত্ত্বেও সেখানে বলতে বাধা হচিছ যে পশ্চিম বাংলার মহাশ্যের স্থবিবন্ধ শীকাব করতেই হয়। দিতীয়ত: শিক্ষা বিভাগেৰ যিনি সচিব আমাদেব মাননীয় ডি. এম, সেন মহাশয় তাঁব ঔদ্ধত্য ও আমলাতান্ত্ৰিক ব্যবহাব! তিনি সেই ব্যবহারের দ্বাবা বর্তমান শিকা ক্ষেত্রে কোন রকম সহানুভূতির পরিচ্য পর্যান্ত দিতে পারেন নি। আমাদের শিক্ষা অধিকর্ত্তা ডি, পি, আই, তিনি নিজেকে অগহায় মনে করেন।

[11-5—11-10 a.m.]

Mr. Chairman: Regarding the work of the person just mentioned the House has nothing to do with that. The Minister is the person who is responsible for that. The speaker should not bring in other personalities.

Sj. Nirmal Chandra Bhattacharyya: Reference can certainly be made to the Secretary and other persons, while the Minister are mere puppets and the Secretaries pull the wire from behind.

Mr. Chairman: You should confine yourself to the acts of Ministers.

Sj. Nirmal Chandra Bhattacharyya: In the past you have permitted us to refer to other persons whenever necessary.

Mr. Chairman: Well, the members may talk about the Ministers who are responsible to this House. The officials are no doubt the servants of the people. But for the policy it is the Ministers who are responsible.

sj. Nirmal Chandra Bhattacharyya: We know that. Does it mean then that in the course of questions or in the course of the debate we cannot refer to these permanent officials, that we are not entitled to refer to the misdeeds of permanent officials? That is the question.

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- Sj. Debendra Chandra Dey: How can we refer to other persons who cannot come here and defend themselves, even from the ethical point of view? Besides, the Minister is responsible for all actions of his own department. So all that criticism should be levelled against the Minister in all fairness.
- Sj. Nirmal Chandra Bhattacharyya: We are aware of the copybook maxims enunciated by him that the Minister is responsible, and all that—we know that very well. Supposing from behind the Minister a permanent official is responsible for certain misdeeds, we are certainly entitled to refer to him.

The Hon'ble Dr. Bidhan Chandra Roy: Therefore you hit the man below the belt.

- Sj. Nirmal Chandra Bhattacharyya: We never do so.
- Mr. Chairman: You can criticise the policy of the Minister and his faults of omission and commission.
- Sj. Satya Priya Roy: Am I to understand that the members of the Council are not entitled to criticise the misdeeds of permanent officials of the Government?
- Sj. Nirmal Chandra Bhattacharyya: Is that your ruling, Sir? Do you really think that, supposing some official is responsible for certain misdeeds, we are not entitled to criticise him?
- Sj. Debendra Chandra Dey: In the case of any specific act you can.
- Dr. Monindra Mohan Chakrabarty: The reference was to some specific act.

- Mr. Chairman: You cannot refer to the character or personality of an individual officer.
- Sj. Nirmal Chandra Bhattacharyya: If you stick to your ruling, Sir, then all discussion here will cease. Then we will have to do something in the matter.

[11-10—11-15 a.m.]

- Mr. Chairman: I suggest that specific acts may be mentioned but not the personality or the character of an individual officer.
- Sj. Nirmal Chandra Bhattacharyya: Sir, she did not make any personal attack. There was a personal reference because she thought that a particular permanent official was responsible for the misdeeds—
- Mr. Chairman: I think some references were made regarding his behaviour and conduct. But if Sjkta. Anila Debi knows of any specific acts, she can certainly refer to them.

Sikta. Anila Devi:

যে আপত্তি এখানে উপস্থিত কৰা হযেছে আমি
মনে কৰি সেটা ভিত্তিখীন। শিক্ষাৰ সামগ্ৰিক
অবং। বৰ্ণনা কৰতে গিযে একটা ব্যক্তি বিশেষেৰ
যাকশান নিশ্চমই এখানে আসবে এবং স্পেসিফিকালি
মদি সেইটাকে মেনসন না কৰা হয তাহলে তখন
এই অবজেকশন আমি মেনে নিতে পাবি।

আছকে যে বিল এখানে উপস্থিত করা হয়েছে বোর্চেন সভ্য হিসাবে আনি জানি, সেখানে পুত্যেকটি সভ্য যে অভিযোগ করা হয়েছে তাতে অভিযুক্ত হতে পানেন না। যদি একক বা কমেকেব অপনাধেব জন্য সামগ্রিকভাবে একটা গণতান্ত্রিক বোর্চকে সবকাব বাতিল কবতে পানেন তাহলে শিকা সংক্রাপ্ত যে কোন কর্ম্মচাৰীৰ কর্ম্মের জন্য, শিকাক্ষেত্রে যাঁদেব হস্তক্ষেপ কববাব সম্ভাবনা আছে, এবং যাবা ক্ষ্মব চলেছেন তাদের সকলেব সমালোচনা কববার বিশেষ অধিকার কাউনিসলেব পুত্যেকটি সভ্যের আছে।

সূতরাং সেনিক থেকে সেকে এবি এড্কেশন বোর্ডএব দুর্বলতার উল্লেখ করতে গিয়ে, যে তিনটি স্তডেব উপর ভিত্তি করে পশ্চিম বাংলার সমস্ত শিকা ব্যবস্থাই দাঁড়িয়ে রয়েছে, সেই প্রত্যেকটি স্তপ্ত বা খুঁটি সম্বচ্ছে যদি উল্লেখ না করা যায় তাহলে শিকা ক্ষেত্রে সমক কথা সম্পূৰ্ণভাবে বৰ্ণনা করা হয় না। সুত্রাং লেইদিক থেকে বলব একদিকে ক্বিরন্ধ, একদিকে সহাযুভূতিহীনতা ও অসহযোগিতা আব এক দিকে অসহায় অসামর্থা—এই তিনটি খুঁটিব উপব দাঁড়িয়ে আছে যে শিক্ষা ব্যবস্থা, এবং সেকেণ্ডাবি এডুকেশন, তাবই অচলব্যেব চায়া বোর্ডে পড়তেও বাধ্য। তাই এই বিবাট জনসাধাবণেব সমক্ষে পুচাবেব জন্য দেওয়া উচিত এবং এই নিযে যে এগামেণ্ডমেন্ট সেটা আমি সমর্থন কবছি।

এখানে বোর্ডের বিরুদ্ধে যে অভিযোগগুলি উপস্থিত করা হয়েছে সে সদক্ষে আমি মাননীস শিক্ষামন্ত্রী মহাপদকে পুখমেই বলতে চাই যে তিনি পুখম অভিযোগ হিসাবে উপস্থিত করেছেন যে, বিভিন্ন বিদ্যালয়গুলিব যোগ্যতা না খাকা সংস্বেও ত'দেব অনুমোদন ও গুলিই মঞ্জুর করা হয়েছে। যেখানে আমাদেব দেশে পুষোজন হচেচ আরও বিদ্যালয় খুলে দেওয়া সেখানে যদি সেকেগুলি রোর্ড—সত্তী গণতান্ত্রিক অধিকাব ব্যয়েছে, সেইটুকুকে ব্যবহার কবে তাব মধ্য থেকে বিদ্যালয়ের সংখ্যা বৃদ্ধি করে, তাহলে জনগাধারণের পক্ষে সেটা গর্বের কথা। এবং এঘটনা বিশ্রেষণ করবার অবিকার জনসাধারণের আছে। সেজন্য এই বিল জনসমক্ষে পুচারিত হওয়া দবকার।

একটা অভিযোগ মাননীয় শিকামন্ত্রী-মহাশ্যেৰ কাছে ভনেডি যে, যেখানে সাহায্য মগ্রুব করা হথেছে শেখানে নাকি অনেক সময স্বকাৰী যিদ্ধান্তকে অমান্য কৰা হয়েছে। একথা আমবা ভানি যে শিক্ষাক্ষেত্রে, যেকপা মাননীয ভট্টাচার্য্য মহাশ্য বলেছেন, গ্রান্ট দেবাব পদ্ধতি কত মহর গতিতে অগ্রসৰ হয় সেটা শিলাদওবেবই কাৰ্য্য পদ্ধতিৰ হিসাবে দেখুন। আমৰা দেখেছি याप्ति ता शिकाष्ट अनुगारी मधूनी मान कनटा इस्त ভাঁদেব সে শিদ্ধান্ত বোর্ভেব কাছে সম্মন্ত পৌছায়নি। অপচ বোর্ড যথন কাজ আবম্ভ করে তার ২।১ মালের मरशङ नशुरो िंट शुः कवट श्वः। गोशांनिक শিক। আইনের ৬১।৬২ ধানায় আছে যে যতকণ ना (वार्ड छान निक्ष विश्वलिशन देखनी कनत्न, ততদিন সরকার থেকে কল্মূ করে বোর্ডের কাজে সাহায্য কবা হবে। আমবা জানতে চাই স্বকার থেকে কি কিছু কল্স্ হিসাবে গিয়াছিল? আমবা দেখলাম বিশুবিদ্যালয়েব ১৯৪৮ সালের সাহায্য-बङ्कती-मान विभएत ३२ शृष्टीत आदेनाक कोनतकस्य জোরাতালি দিয়ে ডি, পি, আইব বিশ্রেষণী দিয়ে, কোন রকমে অদল বদল করে প্রেরণ করা হল। বোর্ড যে গ্রাণ্ট-ইন-এড্ বিষয়ে রেগুলেশন তৈরী করেছিল সেই রেগুলেশন শিক্ষা দপ্তরে দেওয়া হল,

কিছ সেখান থেকে সেটা অনুমোদিত হয়ে আজও किर्त याग्रनि। **जामत्रा छा**नि जनुरमानन এবং অন্যান্য বিধয়ে বোর্ড যে আইন রচনা করেছিল সেই স্কুল কোড সরকাবী দপ্তরের অনুমোদন বা এপুতেল লাভ করে ফেবৎ যায়নি। অবশ্য শিকা-দপ্তর থেকে জানানো হয়েছিল যে ''শিক্ষকদেব বেতন সংক্ৰান্ত ধাৰাটা ভূলে দিয়ে আমাদেৰ কাছে পাঠান আমরা তা অনুমোদন কবে দিচিছ।" কিন্তু বোর্ডের যে গণতাম্বিক চৈতনা ছিল, সভাদেব যে গণতাম্বিক প্রেরণা ছিল ত। থেকে তাবা এটা বুঝেছিলেন যে মাধ্যমিক শিক্ষাব কোন উনুতি কবা গণ্ডব নয় যদি মাধ্যমিক শিক্ষকদের আখিক অবস্থার কোন উণুতি কবা না যায়। শুতরাং এখানেই সংঘাত লাগল। কাৰণ সমস্ত সভ্য---সৰকারী বেসৰকাৰী পক্ষীয় সভ্য---সকলে একযোগে সরকাবেব সেই প্রভাব প্রত্যাখ্যান ক'বে পূর্ব সিদ্ধান্ত বজায় বেখে পুনরায় সোটা প্রেরণ করেছিলেন। সেই কোড আর ফিবে কোনও আইন তাদের দিলেন না, অগচ এবা বলছেন বোর্ড আইন লংঘন করেছে।

[11-15-11-20 a.m.]

व्याव अकोन कथा मञ्ज्वीमान व्यापादन ; गाशयामान वा।शास्त यमि तार्ड गतकारवव निका गरमाठन गौठित বিৰুদ্ধে কোন কাজ কৰে থাকে যে ২চেড্ স্কুলেব गः था। वृद्धि कता अवः अधिक कवारक माध्यम (मध्या। यनकात (शतक वना इस अरपाधातक भाष्टामा भान कवा इट्रह् । यट्यांशाङा ७ त्यांशाङीन निर्धात इट्र যেইখানে যেখানে কর্ত্রণ পূর্ণ মাহায্য নিয়ে উপস্থিত হবেন। আমবা জানি পশ্চিম বাংলায় <mark>যেসমস্</mark>ত বেগৰকাৰী বিদ্যালয় চলডে তাদেৰ আখিক অবস্থা কিং সেই আর্থিক অবসায় যোগ্যতা এযোগ্যতার কোন পুশু উঠতে পাবে না। যদি এমন হত যে যথোপযুক্ত সাহায্য দেবাব পরেও মেই বিল্যালনগুলি উপযুক্তা দেখাতে পাচেছ্ না তখন অভ্নতে সেই মগুৰা বন্ধ কৰা সেতে পারত। গেদিক থেকে শিক্ষাপুসারের দিকে বোর্ড যে কাজ কবেছে গেটা গ্ৰকাবেৰ অপ্তন্ধ হতে পাৰে, কিন্তু আমাৰ মনে হয় জনগাধারণেৰ কাছে যদি উপস্থিত হওয়া যায় তাহলে কর্তৃপক্ষের ১*ডি তেকে* চুরমার रुख योत्त ।

নাননীয শিকামন্ত্রী মহাণয় উন্নান পুণ্রের কথা ভূবেছেন। সেখানেও আপিক সাহায়ের কথা ওঠে। আমরা জানি, ১৯৫৩ সালে বোর্ডের প্রেসিডেন্ট যে রিপোর্ট দিয়েছিলেন সেই রিপোর্টএ উলি্থিত আছে যে উনুয়ন কাজের পরিকল্পনা করতে গেলে আধিক সাহায্যের পুয়োষন; কিন্তু সে বাড়তি অর্থ

Government

[Sjkta. Anila Devi.] সাহায্য গভর্ণমেণ্ট থেকে মঞ্জ করা হয় নি। গতরাং অর্থ ঘাটতি সহ এই সম্পর্কে কোন পরিকল্পনা করলে সেটা পায়াস উইস থেকে যাবে, বান্ডবে কোন কাল্ল হতে পারবে না। এই সম্পর্কে সরকার পক থেকে কি উত্তর আছে আমি জানি না। একটা কণা পরিকাব কবে এখানে বলতে চাই যে ডেভেলপ্মেণ্ট श्कीम कवा श्राप्याण्य । তাতে मिछिकान (श्वरूप, हिकिन কীম, এপারেটাস পুভৃতি কিন্তে এবং সাহায্য দেওয়া ইত্যাদিতে প্রায় ৬ লক্ষ টাকা প্রয়োজন দেখানো হয়। এই ৬ লক টাকার কমে এই স্তীম সুক কবা যাবে না জানানো হয়। কিন্তু সৰকারেৰ কাছে যখন এই ৬ লক্ষ টাকা বাডতি চাওয়া হল, তাঁরা मक्षत्र कत्रत्वन गांज > लक्ष ठोका। व्यर्थ निरंग ছিনিমিনি চলছে. কিন্ত সবকাব শিক্ষা ক্ষেত্রে আর্থিক দায়িত্ব অস্বীকাব কবে চলেছেন। সেখানে যদি কোন অটোনমাস বোর্ড তার স্বল্প পবিসরকে কাজে লাগাতে সবকাবেব সিদ্ধান্ত ওভাররাইড় করে উনুতি ও প্রগতির পথে অগ্রসব হ'তে চায, সেখানেই **छ**नमाश्रात्रण विठाव करव नार्यन स्मिट र्यार्ड जनगाग्र करत्र ए कि करत नारे। टारे जना এर विन जन-সাধারণ্যে পুচাবেব পুয়োজন আছে।

আমবা জানি এই বিল কেন উপস্থাপিত কবা হযেছে. বোর্ডের বেশবকারী সদ্যাদের সত্যিকারের শিক্ষা উनुयत्नव (य ८०१) -- (गई ८०१)व भून (थटक। পविकाव-ভাবে আনবা জানি গত ফেব্ৰুয়াবি মাসে শিক্ষকদেব বেতন ও ভাতা ৰদ্ধি সম্পর্কে যে আন্দোলন হযে ছিল, শিক্ষকেবা যে দাবী নিয়ে কর্ম্ম বিবতি ঘোষণা কবে ছিলেন সেই ঘোষণার সামনে সবকাবকে পর্জদস্ত হতে হযেছিলো। শিক্ষকরা যে দাবীতে আন্দোলন সুক করেছিলেন তাব সবচেয়ে চবম হাতিয়ার ছিল কি ? বোর্ডেব গৰ্বসম্মতিক্ৰমে গৃহীত সিদ্ধান্ত, বেতন ও ভাতা বৃদ্ধির সুপাবিস। সেই ছিল আন্দোলনেৰ মূল কথা। সৰকাৰী এবং বেশরকানী সদস্যবা সকলে মিলে সংৰ্বস্থত যে প্রস্তাব গ্রহণ কবেছিলেন, সেই প্রস্তাবের সামনে সবকারকে প্রাজিত হতে হয়েছিল বলে আজকে প্রোজন হযেছে সেকেণ্ডারি বোর্ডএর মাধামে শিক্ষা-ক্ষেত্রে যতথানি ডেমোক্রাসি বজায় ছিল তাব কণঠ (ताथ कता। উन्यन विषया गवकारतव य मायिष আছে সরকাব সে দিকে এগুতে চান না। সেখানে বোর্ডের অধিকারকে ক্লু করে দিয়ে, নানা বক্ষ আইনেব পাচ কঘে বোর্ডকে যাতে নিশ্নীয় করা যায় তারই চেটা সরকার করছেন। সরকার দেখাতে চান, যেন সরকার ছাড়া স্কুল পরিচালনার ক্ষমতা পশ্চিমবঙ্গের কোন শিক্ষাবিদের নেই। তাই জন সমক্ষে তাকে নিশ্দনীয় করবার জন্য আৰম্মা মনে করি কতকগুলি ঘত্যন্ত করা হয়েছে।

আমাদের মাননীয় শিক্ষামন্ত্রী মহাশ্বর বলেছেন পাঠ্য পুস্তক সম্বন্ধে ফ্রাটর কথা। সেখানে পরিছার-ভাবে আমবা বলতে পারি, সেকেঙাবি বোর্ড যে পাঠ্য পুস্তক নির্বাচিত করেছিল সোন স্কুল ফাইনেলএ ইংলিশ, সংস্কৃত এবং বাংলা আর ক্লাস ভিআই, ভিটুআই, ভিণুআই-এ সায়েণ্য ৰই।

[11-20—11-25 a.m.]

সেধানেও দেধা যায় একটা জিনিছ যে সায়েণ্স বই যে কমিটা রিভিউ কবেছিলেন তার মধ্যে ছিলেন ডি, পি, আই, স্বয়ং, তার মধ্যে ছিলেন বোর্ডেন ডি, পি, আই, স্বয়ং, তার মধ্যে ছিলেন বোর্ডেন প্রেসিডেন্ট স্বয়ং এবং পোষ্ট-গ্রান্ডুরেট নিচিং কাউণিল ইন্ আর্টসএর প্রেসিডেন্ট ও সায়েশ্বেন প্রেসিডেন্ট । সেধানে বলা হয়েছে সভাদের উপব প্রভান বিস্তার করে বইকে ইন্ট্রোভিউস করবাব চেটা হয়েছে । এতে মনে হয় সরকাবী বক্তব্যেন মধ্যে নন্ত বড় একটা অন্যায় রয়েছে এবং এই অন্যায়ের কথা জন সমক্ষেপ্রচারিত ২ওয়। আবশ্যক। সেধানে পুস্কক নির্বাচনের ব্যাপারে যদি কারও ইনকুমেণ্স পড়ে থাকে ত্যে পড়েছে স্বয়ং সবকানের।

এ ছাড়। সমস্ত কুল কাইন্যাল নোর্ডেব জন্য যে বিভিন্ন শ্রেণীতে বিভিন্ন পাঠ্য পুতক এখন পর্যান্ত নির্দিষ্ট বয়েচে, সে পাঠ্যপুত্তক ওলি অনুমাদিত হয়েছিল কাব ছাবা প আমরা দেখেছি ডি, পি. আই-এব অধীনে যে পাঠ্য পুত্তক অনুমোদন কমিটী আছে, সেই কমিন্নই পাঠ্যপুত্তক পূর্বেই অনুমোদন করে দিয়েছিলেন। সূত্রাং তার মধ্যে যদি কোন গলদ থাকে, তা হচেছ ডি, পি, আইএর পাঠ্যপুত্তক অনুমোদন কমিটাব। সেই কমিটী যেখানে অফি-গিয়ালদের ছাবা পুভাবিত হয়েছে, সেখানে সেই অপবাধেব প্রেসাব বোর্ভেব ছাড়ে এসে চাপতে পারে না। সে দিক দিয়ে আমাব বন্ধন্য বার্ড যেওলি করেনি সেগুলিও জন সমক্ষে বলা হনেছে, মন্ত বড় উদাহরণ দিয়ে তা খাড়াও করা হয়েছে।

পরীকা বিন্নাট সম্বন্ধে একথা বলা হয়েছে যে এগ্জামিনেশান কমিটার যদিও সম্পূণ দায়িত্ব ছিল পরীকা পরিচালনার জন্য, তাহলেও সামগ্রিকভাবে এ ব্যাপারে বোর্ডেরও দাযিত্ব ছিল। সেখানে বোর্ডের সভ্য হিসাবে আমি একথা বলতে পারি যে এগ্জামিনেশান্ বিবাটের পবে বোর্ড থেকে একটা তদন্ত কমিটা করা হয়েছিল। সেই তদন্ত কমিটার

বিপোর্ট সুযোগ পেল না সবকাবী দ্রবারে যাবাব জন্য।
সুযোগ পেল না অপরাধীকে উপস্থিত করতে অথচ
তার জন্মই সমগ্র বোর্ডের উপন দোঘারোপ করে তাকে
অপরাধীর কাঠগড়ায় দাঁড কবান হয়েছে। একজিকিউটিভ্ কাউণ্সিলেব মিটিং যথন হচেছ, তথন
রাইটার্স বিভিতংস্ থেকে বিন্তপ্তি ইসু হচেছ বোর্ডকে
সুপাবসিত করবার জন্য। "অপবাধী জানিল না কি দোঘ
তাহার, বিচার হইয়া পেল।"

সর্বত্র যা দেখা যায় এখানেও তাই হয়েছে।

শিক্ষা বোর্ড সবকাবেব কাছে অপবাধী নান, শিক্ষা
বোর্ড যদি কারও কাছে অপবাধী থাকে শিক্ষার

ছন্য তাহলে সে অপবাধী জনসমাজের কাছে।

সূত্রাং সেদিক খেকে আমাব বক্তব্য সব তথ্য জনসমাজেব কাছে উপস্থিত কবে বোর্ডকে দাঁড় করিয়ে

দেওয়া হোক তাঁদের সামনে। সেখানে গিয়ে বোর্ড

যদি নিজেকে নিবপবাধ পুতিপানু কবতে না পারে,

তাহলে না হয় বোর্ড সুপাবসিভ্ কবা চলবে। সেই

জন্য জনমত সংগ্রহ করবাব দিকে সকলের নজর

দিতে হবে।

দিতীয় কথা হচেছ ডেমক্রেসিব বন্যাব প্রাবনে আত্ত্বিত হয়ে আমাদেব মাননীয় মুখ্যমন্ত্ৰী মহাশয় বলেছেন যে ভোগাব তিয়াব পাবনেব চাইতেও ভযাবহ হচেছ এই ডেমক্রেগিব বন্যা। ভার ডেম-ক্রেগিব বন্যা কাদের পক্ষে ভ্যাবহ এবং কাদের পক্ষে নয সে আলোচনার মধ্যে না গিয়ে একটা कथा मा व ननट इरुष्ठ य याडे एमरक्रियन बन्मारक বোধ কবনাৰ জন্য যখন অটোক্ৰেসি মাথা চাডা (मग्न. उन्न त्म इय जान ६ जयक्वत এवः त्म इ जाते।-ক্রেসিব সংগাতের যদি আসবিক চিকিৎসা সরু করা इम्र वर्गार এकहे। व्यक्तिय (माध्यय क्रमा श्रामा करहे ফেলবার বাবত। হয়, তাখলে সেটা হয় পুলয়ক্ষব। वनग्रव ভ्यावश्ञाव भर्ता भाग्य यांना करत ভ्रतिगुर्छ হয়ত সে বেঁচে উঠতে পাবে: ভয়ক্ষরের নধ্যে रा मक्किंग इंटा शिक्त, यात शुलग्रहरतत मरश्र ধবংশন্তুপ ছাডা আব কিছুই যে দেখতে পায না। সূত্ৰাং এপানে যে দুৰ্বল মাধ্যমিক শিক্ষাৰ কথা উল্লেখ কবেছেন, নাননীয় শিক্ষা মন্ত্রীমহাশয়, তাঁর সেই উক্তিৰ সমর্থন কৰে বলছি যে পুলয়ম্কররূপে मांशानिक शिकान छेनुयन मछत इत्व ना। यनि इग्र তাহলে ঐ ভয়াবহ রূপের মধ্য দিয়ে তার সমস্যার সমাধানের পথ খুঁজে বের করতে হবে। নইলে কাবও মঙ্গল করতে পারবেন না।

সুতরাং পরিষ্কার কথা এই,জনসমাজ যদি বোর্ডের জন্ম দেবে বিকুক হয়ে থাকেন, তাহলে সেটা খুবই ষাতাবিক। কিন্তু সেই সঙ্গে আমাব মনে হয় ওধু সেই বাতিল করা বোর্ডের সদস্য হিসাবে নয় একজন শিকাবিন্ হিসাবেও ঙধু নয়, এই কাউন্সিলেব একজন সদস্য হিসাবেও আমাব কর্ত্ব্য আছে। তাই আমি বলছি এই ভ্যাবহ, ভ্যাক্ষর ও পুল্মদ্ধব এই তিন রূপ সহছে, জনস্কমাজেব কাছু থেকে বায় নেওয়া হোক্, তাবা ভ্যাবহকে চান, না পুল্মক্ষরকে চান।

[11-25—11-30 a.m.]

Sikta. Labanyaprova Dutt: Mr. Chairman, Sir, I am surprised that the members of the Opposition have thought it fit to criticise the supersession of the Secondary Education Board as something undemocratic. Sir, perhaps they forget that just before supersession all the important papers of Calcutta-there are Government papers and there are papers that are against Government, I am talking of all the papers—said that something must be done about this Secondary Education Board. May I quote some of the stuff that have been written by some of the papers? On the 4th of May the Amrita Bazar Patrika says in its editorial "It is a scandal".

Ananda Bazar Patrika says-

"এতগুলি পণ্ডমার্থের পুতিনিদি লইযা গঠিত পুতিসান কপনই কার্য্য কলিতে পাবে না। ইতাদের মধ্যে সংঘর্ষ **ৰা**ধিবে**ই** এবং তাহাতে প্রস্পের প্রস্পরক ব্যর্থ করিতে অগুসর হইবে। পর্যতের কার্য্যে এতদিন তাহা বিশেষ ভাবেই দেখা দিনেতে।"

Jugantar says-

''নাধ্যনিক শিক্ষা পর্যতের অক্ষমতা, অক্ষণ্যতা অপপা¶ত। এই কেলেকাবী কোন ক!লে মুছিবাৰ অপবা যুচিবার নহে। বু আশাকবি পশ্চিমবঞ্জ সবকার তংসম্পর্কে—কাথ্যকরী ব্যবহা অবলগ্যন তংপর হবেন।''

Hindusthan Standard says the next day—"It can hardly be entrusted with further responsibility". And last, but not the least, listen to what the Swadhinata has to say about it? The first sentence of its editorial on the 6th May—and I believe that nobody will say that Swadhinata

[Sjkta. Labanyaprova Dutt.] is a paper sponsored by Government—this is what it says—

"মধ্যশিক। পরিষদে হওকেপের পুরোজন। কারণ ইচা অকমণ্য অপদার্থ। ইচার পর্দার আড়ালে দুর্নীতি ও দলাদলি চালতেছে।"

I do not blame the members as a whole because I know that individually the members are intelligent and responsible people. But what do we see collectively? Don't we see that as a collective body the Secondary Board was not successful? Why was it necessary to supersede the Board? Was Dr. Roy too eager to supersede the Board? Why did he create the Secondary Board? When we became independent, we at once realised that we did not want to bring up human machines that were needed by our Imperial masters, but that through the Secondary Education Board, which is the real backbone of education of our country, we must change the syllabus for the good of the country so that the young children who will get their education through the Secondary Education Board will be really men and women who will add to the importance of our country and who will be the future guides and leaders of our country, both political and otherwise. So, it is important that we have good schools and good text-books for these children, and what do we find? Schools were recognised and grants-in-aid were given in cases where they did not deserve; there were no trained staff; there were no facilities for sitting accommodation; there were no facilities for libraries; and vet such schools were recognised by the Secondary Board and some other schools, which were deserving were set aside. What does that show? I won't say anything about it. It is for the members of the Opposition as well as the members of the Government side to find out the reasons why such things were done.

[11-30-11-35 a.m.]

We all know that Prof. Satyen Bose is an eminent scientist. He is not only recognised in India, but throughout the world. Why was

it that his text book was set aside and other text books were selected? Was it because collectively members of the Board were so good and so efficient or was it because of the vested interest of certain members of the Board? I do not say that the whole Board as a Board was corrupt, but there are certain members whose acts were derogatory to the dignity of the Board. What about the scandal about the examination? The members of the Opposition may say that, after all, the Board was not responsible for the leakage of question. But what happened? Our country is a poor country and the guardians of the wards, who had to appear in the examination twice for no fault of theirs, had to incur more expenditure which they could ill afford. Then there is the scandal about setting questions from pieces outside the syllabus. Was it not the ultimate fault of the Board? These are things which should be considered. My sister in the Opposition said that they wanted 6 lakhs of rupees for the tiffin scheme. Government only granted a lakh. No doubt this is a very good and laudable scheme, but at the same time, it had to be realised that money could not come out of nothing. Should we not wait and see that in the next Budget Session we can have more grants for educational expenditure? It is no use going on criticising Government for the supersession of the Board. All the newspapers of the country -newspapers which reflect the opinion of the people—congratulated Dr. Roy's Government when Dr. Roy superseded the Board. It is for the ultimate good of the country that Dr. Roy had to do it. I will read some of the comments made in some of the newspapers about the supersession of the Board. Hindusthan Standard in its opening editorial says "it is unlikely that the West Bengal Government's fateful decision to supersede would evoke popular resentment." Amrita Bazar Patrika calls it "a perfect remedy''. The Statesman says "whoever may be responsible for all these distressing

occurences it seems clear that the present Board could hardly justify its existence." The Basumati says—

''ভাজার বিধান চক্র রায এতদিনে এমন একটা কাল্ল করেছেন, যাতে ওটিকতক মতলবৰাজ লোক চাচা দেশঙদ্ধ লোক আনন্দিত হয়েছে।..... আমরা আবাব বলব পর্বং ভেঙ্গে দিয়ে বিচাবপতি গোণেক্র নাথ দাস মহাশয়কে এডমিনিষ্টেটব নিযুক্ত কবে ডাঃ বাবেব গভর্ণমেণ্ট খুব ভাল কাজ কবেছেন'' Still people say that Dr. Roy did something untimely when the whole opinion of the public voiced through these newspapers—newspapers both supporters and non-supporters of Government was supporting such action. Was it very wrong on Dr. Roy's part to supersede the this Board? all f Aftera temporary measure. only has been commission appointed. The decisions of the commission will be carried out. It is only a temporary measure and certainly we could not leave it there. There must be something in the meantime so that the secondary education could continue and, therefore, there was the need for an $\Lambda {
m dministrator}.$

[11-35—11-40 a.m.]

And so it is only a temporary measure and the Bill says that it is a temporary Bill. We know that in 1944 in the United Kingdom the Butler Education Act said that "education of a country has become so vast that now it is a matter for the Government to take up the education, and here also it has become so vast that though we have statutory boards and though we have private schools and private organizations Government come to the help of the education of the country, of secondary education in particular; otherwise we do not think there can be any progress. Now when corruption crept into the Secondary Board who was there to take up the cause of the public? Our Legislature is a representative body. We have all come here representing certain sections of the people and it is the duty of the Chief Minister and the Education Minister that for the interest of the people of West Bengal, for the interest of the pupils, for the interest of the future destiny of our nation something should be done to put an end to corruption. (Loud cheers from Congress Benches.) Thank you, Sir.•

Sj. K. P. Chattopadhyay: Chairman, Sir, I shall only say a few words in regard to this matter. friends Professor Bhattacharyva and Sjkta. Anila Debi have ably put the case supersession. But they have not stated at all that the administration of the Secondary Education Board was satisfactory. Much is being made of certain things that happened during its litetime. What I wish to point out is that the remedy is worse than the disease. Something certainly went wrong. But that did not justify the Government acting like the queen in Carrol's immortal "Alice in wonderland" and saying "Off with the head" at every mistake and chopping off the head of the Secondary Education Boad, The charges that the Minister has made are that they granted recognition to some institutions against the advice of Inspectors and that these were not good schools. Well, defence for that also has been put up by friends who have spoken before. I would like to draw the attention of the Hon'ble Minister of Education to the little experience that we have of Government inspectorate. They do make bad mistakes, fairly often, and it is wrong to suppose that they are infallible. I had been in charge of Primary Education in this city for many years in the Calcutta Corporation with which my friend Dr. Ahmed was associated-he has left now-and Dr. Roy was also associated for many years as Mayor and Alderman and he had occasion to disregard the report of Inspectors of Government in the matter of Primary Schools. The report of Inspectors of the Government were, I may say, very favourable in many cases to schools which we found were unworthy of receiving any aid and they had been receiving aid from

[Sj. K. P. Chattopadhyay.] Government. That, of course, the Minister may say is a matter of the past. I may point out, however, that our experience of grants to colleges also, under various schemes by the Government after 1947 does not show that there is a great deal of discrimination in the matter of what is worthy institutions orthat proper. I am not aware either the entire Government has been superseded or the Directorate has been superseded for such weakness. I will give you first of all a small example which I menbefore. In 1949tioned once for recognition of applied a college in Ghatal subdivision.

[11-40-11-45 a.m.]

It was inspected by the Inspector of Colleges of the University of Calcutta before provisional recognition was granted. When the college was started it was brought to the notice of the Education and the Hon'ble Department | Education Minister for formal approval. The boys studied and completed two years course, were sent up for I. A. examination and as they were sitting for the examination, the Government reply came that the recognition had not been granted. What a wonderfully efficient directorate and Ministry! The result was that the University was highly embarrass-ed and by a special resolution regularised the examination of the boys. In another case, which was a bigger issue, the Government decided that as students flock to Calcutta colleges in very large number therefore they should be dispersed in the interest of education. And I think Government spent some 75 lakhs—I am speaking subject to correction, the figures may be slightly different-but it has been seen from a survey which I carried out recently that 80 per cent. of the students in Calcutta colleges come from families who are resident in Calcutta. They cannot be dispersed to any moffusil area by a fativa of Government. The result has been that a lot of money has

been wasted on this scheme. If that state of things can happen and the Minister and the Directorate and the whole set up of the Cabinet may go on, is it fair that because some person or persons may have committed some mistake in the Secondary Education Board, to supersede the entire Board? The Hon'ble Education Minister has not given any specific example where a school has been bad. Whether there was any need of a school in a particular locality in which the school was recognised, whether the need of the particular locality was met by the school, these facts had to be taken consideration. In a poor country like ours it is very difficult to have good libraries and other amenities, as has been spoken of by the previous speaker. I am afraid very few educational institutions can afford all those amenities. Educational institutions are maintained in this country mainly by the poor people. Secondary education is not maintained on Government grants so much as on the basis of fees. This is a regrettable state of affairs. Government can talk of amenities only when they are in a position to make and do make substantial grants to each high school. It is no use quoting amenities obtained in the United Kingdom where the bulk of the expenses are met by Government. Even in the case of University education threefourths of the cost including maintenance of students in the United Kingdom are borne by the State.

Now, Sir, as regards text-books. it has been stated that there were some books which were not satisfactory. In one instance, it has been stated that one book was written by Shri Satyen Bose. I may point out here that he has not written any text-book for high schools. The book referred to was published by Bijnan Parishad which was founded by Professor Satven Bose. So these are different things. (Sikta. LABANYAPROVA DUTT: The book was recommended by Professor Satyen Bose.) Sikta Dutt said "text-book by Professor Bose". Sir, on a previous occasion I had to draw the

attention of the Hon'ble Education Minister to defects in the text-books and it was proved that they had been approved by the Education Directorate. Sir, I am not aware that the Directorate has been superseded or dissolved on this account or whether any drastic remedy has been recommended for it. But this much we know that up to now neither the Ministry nor the Directorate has been dissolved or superseded. Nothing of the kind has happened. So what is applicable to one is not applicable to the other. As we have in the story book— ''মাকড় মাবলে ধোকড হয়।''

Government

For the Secondary Board—penance of dissolution is prescribed but for one's ownself it is only "dhokar" Sir, we consider this supersession to be an unjust penalty and that is what we object to.

[11-45—11-50 a.m.]

As regards the secrecy of examination questions, it is known that examination questions are set by paper-setters and transmitted by the office and printed in the press and kept in safe custody by office. The Secondary Board does not discharge this function, just as the Senators of the University of Calcutta do not remain in charge of the questions set. I am not aware that, if any leakage occurs in any Government department of any document, the Cabinet is dissolved; that does not happen. You find out who is responsible and punish that person. In this case the Examination Committee might be blamed for not selecting good examiners or good paper-setters; for that you can criticise them and changes should be made. But because there was leakage you should dissolve entire Board—this is something fantastic which passes my understanding. I should also like to draw your attention to one fact, that on the Board there is heavy representation from the Government side. In a Board of 40 members one-third roughly The actually Government men. Board had also 8 members from the old Senate. Now the old University Senate was 80 per cent. nominated.

So the senators came from nomi-. nees, and it was not much of a democratic Board either, and Government could always control decisions. Again, in the Examinations Committee you had 4 members of Government out of 16, and I take it that the Assembly member was also sent by Government because they hold a majority in Assembly. So the Government members were also to blame. I have not heard that any steps—have been taken by Government with regard to the officials who were sent there. There were also three members of old Senate. So practi-Government and Governcally ment influence have held just a bare majority in that Committee. It is hardly fair to blame democracy for faults for which the Government side was as much responsible at any rate as others and the supersession seems to have been done very hastily. Some reforms certainly were necessary; changes were necessary —nobody denies that—and people were dissatisfied. Well, reform does not mean decapitation. That is what I mean.

I support the motion for circulation

Dr. Monindra Mohan Chakrabarty: Mr. Chairman, Sir, support of my amendment I shall try to place before the House certain facts which should be noted by the members of the House. It is quite justifiable on the part of the public to express resentment on the mismanagement or inefficiency in the matter of the administration of the Secondary Education in West Bengal. It is also known, Sir, that the Government was responsible for issuing a statement which gave categorically the charges against the Board. But it is not generally known what were the reactions, what were the replies of the Board with regard to the specific charges made against it, and it is very very regrettable, Sir, that the Board was dissolved without giving it an opportunity to exoncrate itself from the various charges which in many cases are untrue or half true. Sir, deliberate attempts

. [Dr. Monindra Mohan Chakrabarty.]

have been made on behalf of the Government to distort and misrepresent tacts.

[11-50—11-55 a.m.]

I shall cite several instances to prove my contention. The Education Minister has referred to the inefficiency of the Board with regard to the failure of having any plan for development within the stipulated time. Section 34 of the West Bengal Secondary Education Act, 1950, states Board shall within two years from the establishment of the Board or within such time as may be allowed by the State Government prepare and submit to the State Government an estimate of the immediate and prospective needs of the State as regards secondary education. This meant that the Board shall draw a plan within two years. Now this has been cited as a ground in the order of supersession. Let us see what is the position. On 17th October, 1952, a sub-committee of the Board was formed and on 23rd December 1952, various plans were provisionally adopted. From January, 1953, three schemes were provisionally adopted, namely, to improve school tiffin, medical and physical examination, etc. and the President himself also in conjunction with other members of the Board like Dr. Nalinakshya Sanyal submitted a note regarding development that has been done within the stipulated time of two years. Yet the Education Minister goes on to say that nothing was done and cites that as a ground for the supersession of the Board. It is untrue and I think it is a misrepresentation of fact. With regard to the other charges made against the Board the non-official members of the Board submitted an explanatory memorandum. I find that among the signatories are Shri Kamini Kumar Ghosh—a very prominent member of this House-and H. Majumdar and many others who belong to the Congress Party and persons like Principal Arun Sen of the City College and Principal Prasanta

Bose of the Bangabasi College and so on.

Bills

Sj. Mohitosh Rai Choudhuri: Were they members of the Board?

Dr. Monindra Mohan Chakrabarty: They were non-official members of the Board. Now in this memorandum they had explained several things which the Education Minister imputed and they refuted the charge which has been made about granting of recognition without any inspection at all. This was mainly with regard to the extension of recognition to two existing schools. Inspection reports did not reach the office till the end of the year and provisional recognition had to be continued to avoid chaos. Then the Education Minister cited the case of granting recognition without inspection. There is only one—a single—instance where the inspection could not be arranged but not due to the fault of the school and the Subdivisional Officer, who happened to be the President of the managing committee, assured that the minimum conditions of recognition were satisfied. As a matter of fact when the Inspectorate actually inspected that school they recommended recognition for two years. This is the case and this has been stated as a ground for supersession of the Board.

[11-55—12 noon.]

With regard to the other instance let us see what is the position. It has been made out that political influences have been put to give recognition to unworthy schools. Sir, may I inform the House that political influence came from the Congress side in many cases and this was resisted by the Board. That was the case in Hooghly district Prafulla where my friend Shri Chandra Sen is interested. There is a case in Itinda in 24-Parganas where many Congress members were interested. The President of the Board at that meeting said "I had a telephone call from Dr. Roy about that." He openly stated in

the meeting-I had it on the authority of a number of members in the Board. Sir, is it not political influ-Sir, it is preposterous to suggest these things. Out of over 2,000 schools the Chief Minister in a statement suggested that there were 62 cases where the recommendation of the Education Committee was flouted. What percentage? It is less than 5 per cent. And the Board was not a post office. The Board was a statutory body with its own power. Do you suggest or does the Education Minister suggest that the Board was there only to ditto the recommendations of the Education Directorate? Sir, I think that should not be our intention. that should not be the intention of the House, that should not be the intention of the people of Bengal who regard secondary education as a very important stage in the educational development of our State. Sir, there are other cases. Board has been criticised for the fact that accounts were not properly kept and so on. Now, the neceswere not sarv rules there. Who was responsible for framrules? It ing the was the State Government, it was Education Department. And they did not frame the rules in time so that the Board could have the guidance it needed. Is it fair on the part of the Education Department and on the part of the Education Minister to castigate the Board and just say that he and his department were not responsible for it?

I would cite several other things for your consideration. The name of Professor Satyen Bose has been brought in this House. I am sorry that his name should have been brought in this manner. I think Professor Bose would be most embarrassed when he knows of these things. But what are the facts of the case? Professor Bose was not a member of the Board at all. He was called in as an expert to assist the Board in selecting text-books for the science course.

The Hon'ble Pannalal Bose: He was a member of the syllabus committee. He was not a member of the Board.

Dr. Monindra Mohan Chakra- . barty: He was not a member of the syllabus committee either. was called in as an expert as others were called in. Let us know what are the facts of the case. Professor Bose had a point of view. He was of opinion that in introducing the science curriculum in the junior classes the subjects would be treated one by one, say, astronomy in one standard and then, say, physical science, physics and chemistry in another standard and biological science in another standard and so on. So his point of view was that intensive teaching should be given one particular subject.

[12-12-5 p.m.]

Now, Sir, the view of many members were that the students learning science should more or less know all aspects of science and not one particular aspect of it. They will get more interest if an environment of science is created. This is followed in the United Kingdom, in the United States and in Switzerland. These members of the Board brought in text-books from these countries to support their view point. There were members in the Board like Professor Satyen Bose whose erudition in science cannot be challenged. He is expected to know what sort of a science book is to be prescribed in the junior classes. But a case has been made out to show that his book has been rejected and not recommended. Sir, it is ridiculous to suggest that his book has not been recommended. The fact is that he has not written himself any book.

Sir, my friend opposite is now very very enamoured of the comments of the newspapers. I do not know whether she read the news. paper during the tramway agitation, during the food agitation. I do not know whether she read the newspaper comments during the teachers' movement. Ιt is good know that she sometimes reads newspaper comments when it suits her. In this present instance. I think what the newspapers tried to say was that

[Dr. Monindra Mohan Chakrabarty.]

the general public did not want that things should continue in this way in the Board. The public did not want the supersession of the Board, but they *anted to improve in the Board.

Sir, I will now come to the secrecy and scrutiny of the question papers. Here I may have to reveal a few facts which must be done in the interest of the general public. Before I do so, I may just refer in passing to the very incorrect statement made in the Press communique. This is that the examination was postponed on several occasions. Examination was postponed only on one occasion and it is a travestry of truth to say that it was postponed on several occasions. With regard to the examinations, what was the procedure? The responsibility was entirely of the President. Board members, executive committee and the examination committee members were not at all consulted in any case. About the leakage, Sir, we all admit it was a regrettable affair. But the Board in recognition of the duty towards the public and realising their own responsibility in the matter formed an enquiry committee under the Presidentship of Dr. Srikumar Banerjee and before the steps formulated by themrecommendation made by themcould be put into operation the Board was superseded. Now, Sir, let us see who were to blame for the leakage of the question papers. I will read some extracts to show that the following persons were responsible for this affair. Among the permanent officials were Shri Abani Mitra, Deputy Secretary and Shri Samar Sarker, Assistant Secretary of the Examination Sec-That Enquiry Committee made the following persons primarily responsible for the mistake. In their opinion the blame must be fixed upon Shri Abani Mitra. The Committee has given the reasons (The Hon'ble PANNALAL Bose: This report was never before the Board.) This was before the

Enquiry Committee and the Personal Assistant to the President has given this. Sir, I am not going to disclose the source wherefrom I got this information, but a circular No. 207P.A., dated 15th April, 1954, was sent round.

[12-5—12-10 p.m.]

Sir, some secret has got to be out, you put the blame on others; but it should come to you as well. These were the permanent officials whom I named and they were rightly found out and steps were proposed against them. So it is ridiculous to suggest that the Board did not take any action when the leakage of the question papers took place. Is it fair on the part of the Education Minister, who ought to have known about this, to say that the Board did not do anything, did not lift a finger for these lapses? The Board also admitted that it was really very bad that this should have taken place.

Now, about the responsibility of the President. Sir, in the whole matter of this supersession of the Secondary Education Board, somehow or other the President who was at the back all the time and who was trying to escape without getting his share of the blame, is being protected by the Ministry-I do not know what are the reasonsbut his conduct should also be enquired into. It was brought out in the course οf the that "most of the papers moderated in Were the house of the President because of the lack of a suitable room in the Board office. The President who is a specialist in English was present at least for one day while the papers were moderated and took some part in introducing verbal changes and other things. It might be observed that the practical effect his association should have ensured avoidance of errors due to imperfect application of moderation" and so on. The President had a responsibility. Moreover the press possibly might have been a source of leakage. There are three or four presses where leakages might have

occurred. The President and the permanent officials should have been blamed if there had been bad arrangements. security should have been an enquiry and if punishment was due, it should have been meted out to them. Instead of that we find the Chief Minister and the Education Minister championing that democracy is not possible in the sphere of education and all that. It is all bunkum. Sir, it has been a sad state of affairs for this State of ours that the scheming senior officials of the Education Department had almost made the Education Minister appear as a nincompoop. has been He totally worthless in managing his department and in this he has been abetted by the Chief Minister. While we do believe that enquiries should be made as to the occurrence of these things, we are also of the opinion that this state of affairs cannot be allowed to continue. In the interest of education of the State, in the interest of the other related things, this sort of thing must cease and the Chief Minister should revise his opinion of the management of the Education Department.

[12-10—12-15 p.m.]

Sj. Mohitosh Rai Choudhuri: Sir, all these two long hours I was listening very carefully to the speeches delivered by my friends of the other side—the side to which I once belonged but fortunately for me—

Dr. Monindra Mohan Chakrabarty: And fortunately for us also.

sj. Mohitosh Rai Choudhuri: It is a matter of great regret that I have had to oppose the arguments which have been put forward by some of my friends for some of whom at least I entertain great respect. But, Sir, in a matter which concerns the interest of the country we should all conduct ourselves in a calm manner and pronounce our opinion. Now what is the subject matter of the discussion today?

Whether the Bill which has superseded the Board should be circulated for opinion. Opinion of the country is necessary when there is any doubt about it. In spite of what has fallen from the lips of my friends on the other side the country has given its verdict unequivocally and most clearly upon this action of the Government in superseding the Board. When secon lary education was taken over from the hands of the University and made over to an autonomous body many people expected that there would be a new heaven and new earth in the sphere of education. I was one of the very few who was sceptical about the step taken, particularly when the constitution of the Board was announced. I for one believed earnestly that the constitution of the Board was radically wrong and in it lay concealed the seeds of failure. In this House I often said that fools only believe in democracy in education. Democracy is a good thing in certain matters. In education, however, democracy is a mistake. When we have to judge the merit and literary value of a particular piece of Milton's poetry or of Rabindranath's, you cannot abide by the opinion of the masses. Similarly, what should be the education in the country, what should be the ways in which the present generation of the country should be educated is a matter upon which the opinion of the masses should not count. believe higher education and scientific education should be alone left to the management of experts but so far as primary education and the type of education which goes by the name of secondary education in this country, they should be fully controlled by the Government.

Dr. Monindra Mohan Chakrabarty: That is what you think.

Sj. Mohitosh Rai Choudhuri:
And that is what every sensible being thinks. Except in England and to some extent in America, everybody is of opinion that primary and secondary education should be left to the care of Government.

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[Sj. Mohitosh Rai Choudhuri.] [12-15—12-20 p.m.]

And that is for good reason. Particularly if you look at the way in which these autonomous bodies which are controlling mary education and the secondary education are behaving themselves there ought not to remain any doubt left in the minds of reasonable men that those are incompetent bodies. Besides, if they do anything wrong there is no remedy for it. Often in this House we have sought to criticise the action of the Board or the action of the University but at once we have got the retort from the Government side that they are autonomous bodies and it is not open to the Legislature to openly criticise them. But if primary education or secondary education were left completely to the care of the Government, then we would get proper opportunity to criticise their action. There should not be therefore any Board to control it. I say for these reasons that primary education and secondary education should be left to the care of the Government with advisory bodies to help them. That is my contention. The fact that the Board has been superseded is one for which I congratulate the Government. It was a great mistake to create a Board like this. I said, although I am a humble man, I had my misgivings about the composition of the Board and in the small magazine which I edit, I strongly set my face against this sort of composition of the Board. I repeat again that in the very composition of the Board lay the seeds of its failure. It is good that the Government have taken the opportunity for superseding the Board. I do not care whether and how far the charges of omission and commission against the Board are really tenable. I do not like to examine whether the note which has been circulated by some memthe superseded Board bers of defending their conduct is reasonable or not. I say that the Government have done well in taking this opportunity to supersede the Board. Sir, it has been said by my friends

on the other side that eminent educationists opposed the introduction of the secondary board dominated and controlled by Government in the days before the advent of independence in the country on the ground that they were trying to officialise education. Sir, that day and this day are entirely different. In the old days we had no responsible Government. Therefore if education were left to the care of the Government (Interruptions). Please listen to me very carefully. I have been in the education line for forty years and very few of my friends have worked so much for the cause of education as my humble self. (Interruptions.) Give me time to develop my thoughts. Nobody interrupted you. What I was going to say is this. In the old days before the advent of independence we opposed officialisation of education. We opposed the Bill, we opposed the Secondary Education Bill of those days because its object was to place power in the hands of the Government, autocratic Government, irresponsible Government.

[12-20—12-25 p.m.]

Sir, I say the time has changed. I understand my friends' arguments to some extent and my friends also understand what I am saying. I say this that today we have got a full-fledged responsible government. But when the Secondary Education Bill was opposed when it was brought forward by the old Government, Government was not responsible to the legislature, responsible to the country, to the same extent as today. It was said on behalf of the Opposition that at one time in the name of freedom, in the name of the development of education, the introduction of Secondary Education Bill was opposed—and I say it was rightly opposed. The Government of those days-which was not responsible to the people-tried to usurp power and tried to have the entire control over secondary education. If the Government of today tries to do so-if Dr. Roy's Government tries to control the secondary education—it is for a

good reason. I congratulate the Government for this supersession. I do not believe in the existence of the School Boards and the Secondary Education Board——

Mr. Chairman: You may pass on to the next point.

Si. Mohitosh Rai Choudhuri: Sir, how far the charges of omission and commission on the part of the present Secondary Education Board are correct I do not know. I am glad that the Board has been superseded. It is strange, Sir, that many of my friends do not know that there was a commission known as Mudaliar Commission and in which there were members-educational experts—who after due deliberation came to the conclusion that the Board constituted in Bengal was not a proper one. If Dr. Rov was responsible for the constitution of this Board, I find fault with him. It was a great mistake on his part. The Board, as suggested by the Mudaliar Commission, which was subsequently approved by an international team of educational experts is in my opinion the right type of the Board. This recommendation was further examined by different well-known headmasters at the headmasters' seminars in different parts of the country. They also thought that the Board—the Board that has been superseded had no right to exist.

Sir, I think, therefore, that no case has been made out for the irculation of the Bill. The public are glad that this Board has been aperseded and there will be a saving of the money which was being neurred for this Board. (Dr. Jonindra Mohan Charrabarty: 3ut Mr. Chanda is still drawing his alary.) But, Sir, I am sorry only

[12-25—12-28 p.m.]

in one matter in connection with the Government's abolition of the Board. The President and all other members have been discharged, but the Secretary and other executive staff who were also responsible to a large extent for the mismanagement of the Board have been retained. I expect Dr. Roy to see that after a proper enquiry those officers of the Board who are guilty are also removed.

Bille

With these words I appeal to the House to reject the motion for circulation forthwith which is absolutely not justified.

Mr. Chairman: The House stands adjourned till 9-30 a.m. on the 8th September. On that day three items of business will be taken up: (1) Chandernagore Merger Bill, (2) Discussion of the Flood Situation; and (3) business remaining from today. Items (1) and (2) will be discussed for one hour each.

Adjournment.

The Council was then adjourned at 12-28 p.m. till 9-30 a.m. on Wednesday, the 8th September, 1954, at the Legislative Buildings, Calcutta.

Members absent.

The following members were absent from the meeting held on the 3rd September, 1954:—

Banerji, Sj. Bankim Chandra. Chatterjea, Sj. Devaprasad.

Choudhuri, Sj. Annada Prosad.

Das, Sjkta. Santi. Mohammad Saveed Mia. Janab.

Mookerjee, Sj. Kamala Charan.

Sanyal, Sj. Charu Chandra.

Sarkar, Sj. Pranabeswar.

COUNCIL DEBATES

Wednesday, the 8th September, 1954.

THE COUNCIL met in the Legislative Chamber of the Legislative Buildings, Calcutta, on Wednesday, the 8th September, 1954, at 9-30 a.m., being the 2nd day of the Fifth Session, under the Constitution of India.

Mr. Chairman (The Hon'ble Dr. SUNITI KUMAR CHATTERJI) was in the Chair.

[9-30—9-35 a.m.]

Messages.

Secretary (Sj. A. R. Mukherjea): Sir, the following messages have been received from the West Bengal Legislative Assembly, namely:—

(1)

"Message.

The Bengal Raw Jute Taxation (Amendment) Bill, 1954, as passed by the West Bengal Legislative Assembly at its meeting held on the 3rd September, 1954, has been duly signed and certified as a Money Bill by me and is transmitted herewith to the West Bengal Legislative Council under article 198, clause (2) of the Constitution of India.

SAILA KUMAR MUKHERJEE, Speaker,

West Bengal Legislative Assembly.
CALCUTTA.

The 6th September, 1954."

(2)

"Message.

The Bengal Motor Spirit Sales Taxation (Second Amendment) Bill, 1954, as passed by the West Bengal Legislative Assembly at its meeting held on the 3rd September, 1954, has been duly signed and certified as a Money Bill by me and is transmitted herewith to the

West Bengal Legislative Counci under article 198, clause (2) of the Constitution of India.

SAILA KUMAR MUKHERJEE

Speaker,

West Bengal Legislative Assembly.

CALCUTTA,

The 6th September, 1954."

(3)

"Message.

The Calcutta Port (Amendment) Bill, 1954, as passed by the West Bengal Legislative Assembly at its meeting held on the 3rd September, 1954, has been duly signed by me and is annexed herewith. The concurrence of the West Bengal Legislative Council to the Bill is requested.

SAILA KUMAR MUKHERJEE.

Speaker,

West Bengal Legislative Assembly.

CALCUTTA,

The 6th September, 1954."

(4)

"Message.

The West Bengal Legislature (Removal of Disqualifications) (Amendment) Bill, as passed by the West Bengal Legislative Assembly at its meeting held on the 3rd September, 1954, has been duly signed by me and is annexed herewith. The concurrence of the West Bengal Legislative Council to the Bill is requested.

SAILA KUMAR MUKHERJEE

Speaker,

West Bengal Legislative Assembly.
CALCUTTA.

The 6th September, 1954."

(5)

"Message.

The Darjeeling and Kurseong Municipal (Porters) (Amendment Bill, 1954, as passed by the West Bengal Legislative Assembly at its meeting held on the 3rd September, 1954, has been duly signed by me and is annexed herewith. The concurrence of the West Bengal Legislative Council to the Bill is requested.

Message 8

SAILA KUMAR MUKHERJEE,

Speaker,

West Bengal Legislative Assembly.
CALCUTTA.

The 6th September, 1954."

(6)

"Message.

The West Bengal Black-Marketing (Repealing) Bill, 1954, as passed by the West Bengal Legislative Assembly at its meeting held on the 3rd September, 1954, has been duly signed by me and is annexed herewith. The concurrence of the West Bengal Legislative Council to the Bill is requested.

SAILA KUMAR MUKHERJEE,

Speaker,

West Bengal Legislative Ascimbly.

CALCUTTA,

The 6th September, 1954."

(7)

"Message.

The West Bengal Private Forests (Amendment) Bill, 1954, as passed by the West Bengal Legislative Assembly at its meeting held on the 3rd September, 1954, has been duly signed by me and is annexed herewith. The concurrence of the West Bengal Legislative Council to the Bill is requested.

SAILA KUMAR MUKHERJEE,

Speaker,

West Bengal Legislative Assembly.

CALCUTTA.

The 6th September, 1954."

Sir, I lay on the table copies of these Bills.

Point of Privilege.

Nirmal Chandra Bhattacharyya: Sir, could I be permitted by you to raise a question of privilege. It is in connexion with article 151 of our Constitution. We asked you on behalf of the Opposition more than once that under article 151 of the Constitution we are entitled to representation on the Public Accounts Committee. The Hon'ble Chief and Finance Minister was good enough to assure us that the matter was receiving his attention. He is possibly aware now that the Upper House at the Centre-the Council of States-has been given adequate representation the on Public Accounts Committee. In view of this policy that has been adopted by the Union Government I hope. Sir. that the Chief Minister will give an early decision in the matter and make arrangements for the adequate representation of the Council on the Public Accounts Committee. We shall be grateful if the Finance Minister will kindly make a statement.

Mr. Chairman: I am sure after listening to the representation made the Chief Minister—

8j. Nirmal Chandra Bhatta-charyya: We want a reply from the Chief Minister.

The Hon'ble Dr. Bidhan Chandra Roy: So far as this year is concerned the formation of the Public Accounts Committee has been completed. The total number of members in the Committee cannot exceed 9. The required number has already been appointed. I have no power to change it. If the Assembly agrees to withdraw one or two of its nominees then that is a different matter. I promise from next year we shall put in one or two members from the Upper House in the Public Accounts Committee.

Sj. Nirmal Chandra Bhattacharyya: That would satisfy us.

Resolutions on the Merger of Chandernagore.

The Hon'ble Dr. Bidhan Chandra Roy: Sir, I beg to move with your permission the following two resolutions:—

- (1) This Council approves of the proposal to introduce the Chandernagore (Merger) Bill, 1954, in Parliament for alteration of the boundaries of the State of West Bengal so as to comprise within them the territory of Chandernagore.
- (2) This Council approves of the provisions of the Chander-nagore (Merger) Bill, 1954, annexed to this Resolution.
- Sj. Nirmal Chandra Bhattacharyya: I suggest that the two resolutions should be taken separately.

Mr. Chairman: I do not think there will be any objection to the first resolution.

The motion of the Hon'ble Dr. Bidhan Chandra Roy that this Council approves of the proposal to introduce the Chandernagore (Merger) Bill, 1954, in Parliament for alteration of the boundaries of the State of West Bengal so as to comprise within them the territory of Chandernagore, was then put and agreed to.

The Hon'ble Dr. Bidhan Chandra Roy: I shall be speaking on the second resolution.

Sir, the Chandernagore (Merger) Bill has been framed by the Government of India for submission to the Parliament for sanction.

[9-35-9-40 a.m.]

Sir, as we have just said there is no objection for the introduction of such a Bill. The question is about the provisions of the Bill. Sir, in this connection I may be permitted to refer to the background on which the Bill was framed. On the 8th May, 1954, the Ministry of External

Affairs announced before the House of the People or Lok Sabha the decision of the Government of India that Chandernagore will be integrated into the State of West Bengal. It has since been decided that the above decision should take effect on the 2nd October, 1954, the date being considered particularly appropriate as it is the birthday of Mahatma Gandhi. A Bill has accordingly been drafted for the purpose which will have to be passed by the Parliament during its current session for giving effect to the decision. The Constitution requires that before the Bill is introduced in Parliament, the President would ascertain the views of the State Legislature both with regard to the proposal to introduce the Bill as also in respect of the actual provisions thereof. For this purpose 1 propose to move this resolution of which notice has already been given recommending introduction of the Bill in Parliament and approving provisions contained in the Bill. I may inform the House that the resolution has been accepted by the Assembly. Before I actually move the resolution before the House for its acceptance, I may perhaps say a few words to indicate the background on which decision to merge Chandernagore into the State of West Bengal has been taken. After the attainment of independence the Government of France in agreement with the Government of India declared in June, 1948, that the future status of the French citizens could be determined by the people themselves by a free expression of their wishes through a referendum. A referendum was accordingly held at Chandernagore on the 19th June, 1949, and its verdict was over-whelmingly in favour of the integration of Chandernagore with India. As a preliminary step towards effecting such integration the administration of Chandernagore was transferred de facto to the Government of India on the 2nd May, 1950, pending conclusion of a Treaty of Cession between the Governments of India and France. This Treaty of Cession was signed at Paris on the 2nd February, 1951,

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by the representatives of the Governments of India and France. This Treaty provides inter alia for the transference to India of full sovereignty in respect of the territory of Chandernagore, recognition of French subjects domiciled in Chandernagore as Indian nationals, transfer to the Government of India of all assets and liabilities pertaining to Chandernagore administration, continuance of the French cultural heritage in accordance with the wishes of the people of the city and continuance of the practice by the members of the legal and liberal professions practising Chandernagore without having to acquire any additional qualifications or to obtain new diplomas or licences or to fulfil any other formality. On ratification of the Treaty of Cession the instructions of ratification were exchanged between the Governments of India and France and a de jure transfer of administration took place on the 9th June, 1952. In pursuance of the declaration made by the Government of India from time to time to the effect that the future administrative set up would be determined after consulting the local public opinion, the Central Government was pleased to appoint in November, 1953, a one-man Commission of enquiry composed of Dr. Amar Nath Jha for ascertaining the wishes of the people of Chandernagore in regard to its future administration.

[9-40—9-45 a.m.]

The Jha Commission submitted its report to the Government on 18th December, 1953, recommending inter alia the merger of Chandernagore to West Bengal. After considering this report the Gov-ernment of India issued on the 8th May, 1954, with the concurrence of the West Bengal Government a communique embodying the decision taken by the Government of India on the recommendation of the Jha Commission.

Sir, this communique indicated the decision of the Government on the issue of the report of the Jha Commission and I think I should

refer to it in some detail, because that will clear up misunderstanding. The first is that Chandernagore would be integrated with West Bengal. The necessary legislation in this regard will be undertaken as speedily as possible and this Bill is in conformity with the first decision. Secondly, in view of its past history and status Chandernagore will be made the headquarters of a new subdivision to be constituted by the addition of the adjoining territory of Hooghly. I may say, Sir, that this has been done. After this Chandernagore will have the necessary complement of Magistrates—civil and judicial officers. When the Corporation is established a Municipal Magistrate will deal with Municipal cases. Sir, these two have also been implemented. Next the Government of India and the West Bengal Government will consider sympathetically the development plans, namely, sewerage scheme, building of quarters for officers and muni-cipal workers, etc. The schemes for the development of the town will be within the competence of the Municipal Corporation. These are long-term plans and detailed scheme will be drawn. The Administrator has been asked to examine the scheme and submit the proposal to the Government of India. The cost of this development project will be shared with the Central and the State Governments and the proposed Corpora-tion. Sir, it will be observed with regard to the formation of a subdivision, with regard to the appointment of Magistrates and other civil and judicial officers or with regard to the proposal for introducing development plans, these are not matters which can take their place in a Bill which is intended for merging one particular area in the State of West Bengal. With regard to the application of the French laws now in Chandernagore, this matter has already been taken in hand. This report speaks of the situation in May. I am informed that some Indian laws have been extended to Chandernagore and we are thinking of introducing other Indian laws there. This, Sir, also

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is a matter which cannot form the part of a Bill of this nature. As regards the Chandernagore representation in the Central and State Legislatures, it was found that Chandernagore cannot have separate representation the in House of the People with its present population. Under the Constitution, representation to the House of the People is on the basis of one seat to every 750,000 persons. this Bill this population has been included for the purpose of allowing the people of Chandernagore to take part in the election of the House of the People, although no separate seat can be found for a population of 50,000 when the total number has been mentioned in the constitution as 750,000. But it should be possible to make Chandernagore an additional consti-tuency in the State Legislature in the general election. A provision has already been made for the inclusion of Chandernagore an additional representation in the Assembly. In this connexion there may be some misapprehension in some quarters about the number of persons required for a seat.

[9-45—9-50 a.m.]

Sir, it is stated that representation to the Legislature should be on the basis of one member to 75,000 of the population. Now the population of Chandernagore, as far as one can gather from the latest census, is near about 50,000. Therefore, it could not form a constituency by itself. Therefore, a certain area in the neighbourhood of Palba police-station has been added on to Chandernagore in order that Chandernagore might have representation. What will happen, Sir, is that of the 75,000 people who will form the voters of this Assembly, Chandernagore having a population of 50,000 will certainly have a predominant voice in the selection of the candidate to the Legislative Assembly. You will find a reference in the Bill "either with or without addition". The point is, every 75,000 of the population can send one representative, that is part of the Constitution, nobody can change it unless Parliament desires to change the figure. Although the population of Chandernagore today is 50,000, it may before the next election rise to 75,000, and then of course in the usual course the Delimitation Commission will have to constitute Chandernagore as a separate unit for representation in the Legislature. So these items are finding a place in the Bill.

COUNCIL DEBATES

Chandernagore have a shall municipal corporation. The legislative measures necessary for this purpose will be considered by the State Government. Sir, this is a deliberate statement made and you will find in the Bill the word "law" has been defined as law which pertains to subjects mentioned in List 1 and List 3 of Schedule VII that is to say, Union List and Con-List. They have current State List at all the touched although theoretically the President has the power under certain circumstances to touch the State List also. Sir, as you know, if we are to establish a Municipal Corporation anywhere in West Bengal, the Bengal Municipal Act should be sufficient to give the Government the power to start a muni-cipality in a particular area, but if you look at the Jha Commission Report you will find that Dr. Jha has made a certain stipulation with regard to the Corporation to be established in Chandernagore. For instance, it has been suggested that the Headman should be called a Mayor. Now, nowhere else except in Calcutta Corporation, in no other municipality in West Bengal is there a provision for a Mayor. Nowhere is there a provision that the Mayor or the head of the Corporation will have to retire every year, and no reappointment will be made except once—that again is a new provision. Similarly there is a provision for the appointment of a Chief Executive Officer; no other municipality has got this provision. Therefore, the formation of a Corporation in order to give effect to the suggestions of Dr. Jha could

only be taken up by the State Government. Therefore, in their statement in May the Government of India made it clear that the legislative measures necessary for the purpose of establishing a Municipal Corporation will be considered by the State Government. measure for establishing a Municipal Corporation, although it appears as one of the items in the Jha Commission Report, could not be taken into account in preparing a Bill which is meant only for the purpose of merger, and in the Bill, as I said just now, no reference is made with regard to any of the subjects under the State List.

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Then (8), facilities will be provided for the maintenance and development of French culture in Chandernagore. Sir, in this connection I may mention that in pursuance of this promise it has been decided that full facilities will be given for the teaching of French so long as there is demand for the same.

[9-50—9-55 a.m.]

A part of the administrative residence in Chandernagore is already being used for housing a museum containing French souvenirs and historical relics of Chandernagore. This residence was at one time occupied by a renowned French Governor. It was intended at a later stage that this house shall be used not only for the museum but also to provide a centre for dissemination of French culture and cultivation of the same. This is a matter which cannot be placed in a Merger Bill because it is a matter for administrative purposes.

Sir, primary education will be free and facilities will also be given for teaching French and Hindi. As a matter of fact you will recall that the Government of West Bengal has decided to introduce free and compulsory primary education in all areas at the rate of 10 per cent. of the schools every year. We shall proceed on that basis in Chandernagore and primary education will be given free and according to French tradition. Second-

ary schools maintained by the French administration will managed and maintained by the State Government. I say that the question of education-primary, secondary and college stages—cannot be given a place in a Merger Bill which is meant for the Parliament. Education is a subject in the State List and therefore a Merger Bill cannot contain any provisions regarding it. Persons now serving in the administration of Chandernagore, who are found suitable for retention will be given the option to declare in writing whether they elect to continue under the existing conditions of service or to accept conditions of prescribed under West service Bengal Government rules. for employees found unsuitable for retention compensation will be paid in the form of gratuity and pension. This particular provision follows article 3 of the Protocol attached to the Treaty of Cession and has to be dealt with according to that and then given effect to. The maintenance of the poor fund will be the responsibility of the Corporation. The Government of West Bengal has agreed that as the revenue of the Corporation might not be sufficient to meet the maintenance of the poor fund they will contribute to the poor fund an equal amount that was used to be paid previously by the French administration. Arrangements will be made for a detailed study of the Chandernagore budget under three heads—Central subjects, State subjects and local items. The upper age limit for candidates for Government service in Chandernagore has also been under consideration of the Government. As soon as the merger takes place the State Government will take executive action in the matter. When the Corporation is established it may not be necessary to increase the finances by subvention from excise and other receipts. The Jha Commission Report suggested that a portion of excise duty might be transferred to the Corporation but the Government has not accepted the The Corporation recommendation. would have its own finances raised

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by taxes. Expenditure on the usual State services, for example, general administration, education, medical, public health, etc., will be the responsibility of the State Government. These things cannot find a place in a Bill of this type. Early steps will be taken to confer Indian citizenship on the people of Chandernagore under Entry 17 of List I and Article 11 of the Constitution.

[9-55-10 a.m.]

The Government of India is considering the question of introducing a Bill for that purpose. Sir, that practically finishes the background of the Bill. Sir, I have not the least doubt that the Bill will be welcomed at the House because it seems to complete the historic process which was being eagerly awaited so long. There is no room for controversy about the completion of the historic process and the honourable memers I hope will lend their co-operation so that the resolution may be adopted in toto in a businesslike way.

Mr. Chairman: Are there any amendments?

Dr. Monindra Mohan Chakrabarty: Sir, I have an amendment.

Sj. Nirmal Chandra Bhattacharyya: First of all I will give notice of an amendment which I shall move and then Dr. Chakrabarty's amendment may be taken up. My amendment is to the resolution on which the Chief Minister has spoken. My amendment runs as follows:—

"This Council deplores that the provisions of the Chandernagore Merger Bill, 1954, are not in consonence with the official statements made by the Deputy Foreign Minister Shri A. K. Chanda on the 24th March, 1954, on the floor of the House of the People that the recommendations of the Jha Commission were to be accepted in toto."

Mr. Chairman: Is that in proper form in view of the explanations given by the Chief Minister?

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Sj. Nirmal Chandra Bhattacharyya: My amendment is this. I will read it again.

The Hon'ble Dr. Bidhan Chandra Roy: I have not seen your amendment.

Mr. Chairman: Kindly write it out. In the meanwhile let the amendment of Dr. Chakrabarty be moved.

Dr. Monindra Mohan Chakrabarty: Sir, I beg to move that the following be added at the end of the resolution—"subject to the following suggestions for amendments in the provisions of the Bill, namely,—

the words beginning with "whether with the addition" and ending with "without such addition" be omitted.

(2) The clause 9 be omitted.

(3) The following clause be added after the clause 16:—

"16A. A Municipal Corporation for Chandernagore shall be set up with 25 elected citizens of the city, to be so elected under adult franchise and with wider powers exercising control and and administration over the departments of health and secondary over and education above its municipal functions. The finances of the Corporation may be augmented by means subvention excise and other duties."

Mr. Chairman, Sir, as has been evident from the sense of the House that so far as the first part of the resolution is concerned there is no difference of opinion. Now our difference of opinion is with the second part of the resolution which seeks to take away some of the advantages of the people of Chandernagore which they have been enjoying so far. Also, Sir, the

Jha Commission categorically recommended some of the points mentioned in my amendment. Sir, I may quote from Jha Commission's Report. The Jha Commission after considering the representations of the All Parties Memorandum said the following among others:—

- (1) That there are historical circumstances in which Chandernagore has become part of the Indian Union, and
- (2) Assurances have been given to the people by the Government of India.

There were several assurances given to the people by the Government of India.

[10-10-5 a.m.]

Sir, the Prime Minister of India on February 5, 1949, said in the Parliament that arrangements for the association of the settlements with the Indian Union will be in conformity with our declared policy and would be regulated according to the wishes of the people with whom there would be the fullest consultation. On the joint declara-tion made by the French Government and the Government of India. dated 11th July, 1949, it was stated that the Government of India is anxious that future relations should take into account the aspiration of the inhabitants of Chandernagore and an official communique issued by the Ministry of External Affairs on the 27th October, 1949, definitely states "In the event of the French possessions in India deciding to join the Indian Union they will be administered as autonomous units in direct relation with the Central Government. Any subsequent changes in the internal administrative set-up will carried on only after consulting the local public opinion." Local public opinion was ascertained and the Jha Commission thought that the public opinion should be respected and, therefore, they recommended as follows in the report: "The city of Chandernagore is advanced and has progressed more than other cities and that in dealing with the future of Chandernagore it will be wise to consider what repercussion there will be on the people of other foreign territories of India and Dr. Jha thought it desirable, therefore, to consider this aspect—that is the wishes of the people of Chander-nagore with sympathy and he recommended in this respect the setting up of Corporation and not an ordinary municipality with wider powers exercising control and administration over the Department of Health and Secondary Education Hon'ble Dr. —(The BIDHAN Has the Jha Chandra Rov: Commission said by whom to set up?) Sir, the Chief Minister said some time ago that the Bengal Municipal Act enforced now was not sufficient and, therefore, fresh legislation would be necessary.

The Hon'ble Dr. Bidhan Chandra Roy: Sir, I am sorry to intervene. I ought to have mentioned that the Local Self-Government Department have already drafted a Bill which will be placed before the House next session for introducing this type of Corporation with Executive Officer as recommended by Dr. Jha. The Bill is complete and it is before the Legislative Department Secretary.

Dr. Monindra Mohan Chakrabarty: Sir, I am glad to hear that. But, Sir, there is another difficulty. The Bill that is being drafted will not empower the Corporation of Chandernagore to exercise control and administration over the Health and Secondary Education and this is the express wish of the people and that is why I was referring to it and that is also why I am suggesting this by my amendment in the interest of the people of Chandernagore.

The Hon'ble Dr. Bidhan Chandra Roy: Sir, I do not find where it is written "control over the hospitals" in the report. Section VII talks about "a Corporation whose duties will be to decide all questions relating to municipal affairs, to pass the municipal budget, to maintain educational institutions (primary and secondary) and hospitals". It is not a question of control and maintenance.

Monindra Mohan Chakra-Minister barty: Sir, the Chief stated sometime ago in proposing the consideration of the Bill that the Department of Health Secondary Education may be one of the functions of the municipality.

[10-5-10-10 a.m.]

The Hon'ble Dr. Bidhan Chandra I did not say that.

Monindra Mohan Chakrabarty: It was in the Jha Commission's Report.

The Hon'ble Dr. Bidhan Chandra **Roy:** I have got the whole report before me.

Monindra Mohan Chakrabarty: Sir, I do not think that it is the full report. There were two appendices to it. Have you got the two appendices?

The Hon'ble Dr. Bidhan Chandra Rov: I have got the whole report.

Monindra Mohan Chakrabarty: It was definitely in one of the appendices. He also suggested that it should be considered how far the finances of the Corporation could be augmented by means of subvention. That is on page 6 of the report.

The Hon'ble Dr. Bidhan Chandra Roy: May I point out again that this report contains three appendices? The first one is the list of persons interviewed, the second one relates to the financial position and the third one relates to the memoranda and letters of citizens. There is no other appendix to the report. It seems somebody has given you the draft which is not correct.

Monindra Mohan Chakrabarty: Somebody has given me the draft; I think the draft is cor-However, the people of Chandernagore want that a gradual adjustment should take place and, therefore, I have proposed this amendment.

Sir, regarding my amendment on clause 6A, omission of the words "with or without the addition of such areas", it only means that the whole of Chandernagore will form one Assembly constituency. As 1

tried to point out, these are the wishes of the people of Chander-nagore and are in consonance with the assurance given from time to time by the Prime Minister and the Minister \mathbf{of} External Affairs and also by the Government in their communique.

I trust that these amendments are acceptable to the Chief Minister.

[10-10-10-15 a.m.]

Janab Abdul Halim:

 ति: (ह्यावमान भारत, माननीय श्रांन मञ्जी মহাশ্য আজ চন্দননগর মার্জার সম্পর্কে যে বিল এখানে এনেচেন সেই সম্পর্কে আমি কিছু বলব। নগবেৰ অধিবাসীবা পশ্চিমৰক্ষেৰ অন্তৰ্ভুক্তিৰ সপক্ষে যখন মত দিয়েছিল, তখন ভাবত স্বকারেৰ পক্ষের লোকে একথা ভানিয়েছিলেন যে তাদের অধিকার সম্পর্ণরূপে বক্ষিত হবে। চন্দননগরের অধিবাসীরা মনে কবে পশ্চিমবঙ্গে আসাব সঙ্গে সঙ্গে বহদিন থেকে তাবা যে সমস্ত সুখসুবিধা ভোগ করে আসছে সেওলি ক্ৰু হবে না। বিশেষকৰে শিক্ষা সংস্কৃতি বা "কালচাব"এব ব্যাপাৰে যে "হেরিটেজু" **তারা** বহদিন ধবে ভোগ কবে আসছে, পশ্চিমব**ন্দে অন্তর্ভন্ত** হবার পবে সে সব ব্যাহত হবে না। শিক্ষার ব্যাপাবে পশ্চিমবঙ্গেব সঙ্গে প্রাইমারী শিক্ষার ও মাধ্যমিক শিক্ষাৰ মান সেখানে অনেক উন্ত, কাজেই তাদেব শিক্ষার উন্ত মানকে ধর্ব করে পশ্চিমবঙ্গের गमर्थगारय रकतन्त ठलरव ना। वदन्त अन्तिमवरकद মানকে উনুত করে তাদের শিক্ষাব পর্য্যায়ে নিম্নে যেতে হবে।

দিতীয়ত: সেখানকার শিক্ষার ব্যাপারে যে**সব** স্বিধা তারা ভোগ করছে, সেই সব সুবিধা তাদের দিতে হবে। তাছাডা বর্ত্তমানে গোয়া, পণ্ডিচেরী, প্রভৃতি ফরেন কলোনীতে বৃটিশ সাম্রাজ্যবাদীদের ভারত ছেভে চলে যাবার পর থেকে ভারতের শঙ্গে অন্তর্ভক্ত হবার জন্য আন্দোলন চলছে। এখানে যদি চন্দননগরবাসীদের অধিকার ও তাদের আশা আকাশ্বা পুরন না কর। হয় তাহলে সেই সৰ জ্বায়গায় একটা প্ৰতিক্ৰিয়া, একটা বিপৰীত মনোভাৰ দেখা দিতে পারে: সে দিক দিয়েও চন্দননগরবাসীদের আশাস দিতে হবে যে তাদের কোন সবিধা ধর্ব করা বা অধিকার অপহরন করা হবে না। চন্দন-নগরের অধিবাসীগণ শিক্ষা সংস্কৃতির যে সুবিধা পাচেছ তা পাবেন, তাছাড়াও মিউনিসিপ্যাল ব্যাপারে তাদের যে অধিকার ও সুবিধা আছে তা বজায় রাখা হবে : তাদের সেধানে বে সব চাকুরীর ব্যবস্থা তার উপর

Resolutions

অধিকার ভাদের থাকবে, ভাছাড়া ব্যবসা ও প্রকেশনের যা কিছু সুবিধা তাদের রয়েছে সেগুলিও এই বিলের প্রভিশনে রাখা দরকার। চন্দননগর শাসনতক্ষে তাদেৰ যে চাকুৰী ছিল সেগুলি ত তাদেৰ পাকৰেই ভাচাতা পশ্চিমবঙ্গের সর্বত্রই চাকুরী গ্রহনের সুযোগ ইচছা করলে তাবা গ্রহন কবতে পারকে। আব চন্দননগবের মিউনিসিপ্যাল প্রতিষ্ঠানকে গণ-অধিকার বা গণভোটেব খাবা নির্বাচন কবে একটা কর্পোবেশন ককন। কারন ঐ কপোবেশন সেধানকাব শাসন ব্যাপাৰে একটা বিবাট অংশ গ্ৰহন ক'রে আছে। বিশেঘ কবে হাসপাতাল, সেকেণ্ডাবি এডুকেসন ও পুাইমাবি এডুকেসন ব্যাপাবে এই করপোবেসনএর হাতে যাতে সেপাবেট অধিকান খাকে ত৷ বিধিবদ্ধ কবা উচিত। আমি প্রধানমন্ত্রীকে সেইটেই অনুরোধ कत्रता। ठम्मननशत्रव अधिवागौत्मव याना--आकाश्चा তাদের যে সমস্ত গাংস্কৃতিক, কালচাবাল জিনিঘ রয়েছে তা যেন বজায় খাকে, এবং এছাড়াও আরো যে সমস্ত সুযোগ সুবিধা তাবা ভোগ কবে আসছে সে সব অধিকার যাতে দেওয়া যায় তাব ব্যবস্থা কবা দবকার। প্রধানমন্ত্রী বলেছিলেন যে 'ঝাঁ' কমিশন বিপোর্ট অনুমোদন ও সুপাবিশ গ্রহন কবা হযেছে এবং তিনি পালামেণ্টে ঘোষণা করেছিলেন যে বিপোর্ট সম্পূর্ণভাবে গ্রহন করা হবে, কিন্ত এখানে তা করা হয়নি। যদিও "ঝাঁ" কমিশনএব বিপোটএ আমরা ক্থনই মনে কবিনা যে চন্দননগব অধিবাসীদের আশা–আকাংখা সম্পূৰ্ণভাবে মেনে নেওয়া হয়েছে তাসত্ত্বেও প্রধানমন্ত্রী বলেছিলেন যে এই রিপোর্ট পূরাপূরি মেনে নেওয়া হবে কিন্ত এখানে তা কবা হয়নি। এখানে আমি অনুরোধ করবো যাতে এই ''ঝাঁ' কমিশনএর রিপোর্ট পুরাপুরি গ্রহণ কবা হয়।

[10-15—10-20 a.m.]

Sj. Satya Priya Roy:

মাননীয় সভাপতি মহাশয়, আমাদের মুখ্য মন্ত্রীমহাশয় এই বিল উপস্থাপিত করবার সময় মন্তব্য
করেছেন যে ডেভলপুমেণ্ট পরিকলপনা যা রয়েছে
পেগুলি মার্জার বিলের মধ্যে অন্তর্ভুক্ত করা যায় না।
চুধু এটা মার্জার বিল বলেই সেটা অন্তর্ভুক্ত কর
যায় না; এখানে তাব সঙ্গে কিছুতেই আনরা
একমত হতে পারিনা। একটা বিশেষ অবস্থার
মধ্যে দিয়ে এই মার্জার হচেছ এবং সেই বিশেষ
অবস্থার কি কি করনীয়, অন্তর্ভুক্তির জন্য কি কি
ডেভলপুমেণ্ট পরিকলপনা করা হবে সেটার এই
বিলের অন্তর্ভুক্ত থাকা উচিত ছিল। সে সম্পর্কে
চাক্তার যা পরিস্কার নির্দেশ দিয়েছেন। এবং
কেন্দ্রীয় সরকার এই কথা শীকার করে নিরেছেন

যে চন্দননগরের অধিবাসীদের সমস্ত অধিকার, সুযোগ-সুবিধা স্বীকাব করে নিয়েই তবে চন্দননগরকে পশ্চিম-বাংলার অন্তর্ভুক্ত করা হবে। আজ আমাদের সামনে যে সংসোধনী প্রস্তাব আছে তার মধ্যে সেকেণ্ডারি এডুকেশনএর কণ্টোল কবপোবেশনএব হাতে দেবার একটা প্রস্তাব কবা হয়েছে 🔒 এই প্রস্তাবুও সুপারিস সম্পর্কে আমরা বলতে চাই যে এই কবপোবেশনএর হাতেই এই দেওযা উচিত। যদি আমনা নিদেশের দিকে তাকাই তাহলে আমবা দেখতে পাৰে। যে কাউন্টি কাউন্সিল ইত্যাদি এদেব উপবেই শিক্ষা নিয়ন্ত্রনের ভাব খাকে। চন্দননগবে শিক্ষা-শীক্ষায় যে অবস্থায় ছিল তাতে সেখানকাব ছাত্ৰ, শিক্ষক এমনকি **অ**ভি-ভাবকেব। অনেক বেশী সুযোগ সুবিধা পেয়েছে। সেখানে প্রাথমিক শিক্ষা অবৈতনিক আবশ্যিক ছিল তাই নয়, সেখানে মাধ্যমিক শিক্ষাৰ ছাত্ৰদেৰ মধ্যে শতকরা ৬০ জন বিনা বেতনে পড়বাব সুযোগ পেত। শুধু মধ্যশিক্ষায় নয় কলেজে সেধানে বহু ছাত্র বিনা বেতনে পড়বাব সুযোগ পেতো, বিশেষকৰে যারা ফবাসী ভাষাব মাধ্যমে মাধ্যমিক শিক্ষা পাস করে কলেজে পড়তো তাদেব প্রত্যেকেবই বিনা বেতনে পড়বার সুযোগ দেওয়া হ'ত। তুলনা করলে বাংলা সরকাবের ব্যবস্থা নিতান্ত অগৌনবেব কথা। আমা-দের পাশে একান ছোট সহব এবং তাব যা আয়. পশ্চিমবাংলাব যে সম্পদ আছে এবং তার যে আয় তাব তুলনায় কিছুই নয়, তা না থাকা সদ্বেও সেখান-কাব শরকার শিকাব উপব বিশেষ জোর দিয়েছিল। সেখানকাব শিক্ষকের অবস্থাও পশ্চিমবাংলাব শিক্ষকের অবস্থাও তুলনায় অনেক ভাল ছিল। **কাঞ্জেই** আমাদের সামনে ডাক্তার চক্রবর্তী যে সংশোধনী প্রস্তাব উপস্থাপিত করেছেন যে, যে করপোরেশন চন্দননগরে প্রতিষ্ঠিত হবে সেই করপোরেশনকে ক্ষমতা দিতে হবে, হেল্প এবং এডুকেশ্নএর ব্যাপারে —বিশেষকবে সেকেগুরি এডুকেশন নিয়য়ন করবার জন্য এবং সেটা আমি শিক্ষকদেরপক্ষ থেকে সমর্থন করছি। যদি ওধানকার শিক্ষকদের অবস্থা এখান-কার পশ্চিমবাংলার শিক্ষকদেব অবস্থার সঙ্গে তুলনা করা যায় তাহলে পরিস্কার বুঝা যাবে এখানকার থেকে ওখানের শিক্ষকদের অবস্থা অনেক উনুততর। সেখানকার বেতনের হার শিক্ষকদের সুযোগ-সুবিধা যা দেওয়া হয় তা আমাদের পশ্চিমবাংলার শিক্ষকদের চেরে অনেক ভাল। সেখানকার স্কুলগুলিকে যদি গভর্ণমেণ্ট স্কুলএ পরিণত হয় এবং সরকারী বেতন দেওয়া হয় তাহলেও তাদের বেতন কমে যাবে। সেদিক থেকে একটা বিশেষ সুযোগ-সুবিধা চন্দননগর অধিবাসীদের দেওয়া হবে সেই প্রতিশ্রতি ধাক। উচিত এবং এই চন্দননগর মার্জ যখন হতে মাচেছ

[Sj. Satya Priya Roy.] তথন চন্দননগরের অধিবাসীদের কি বিশেষ সুবিধা দেওয়া হবে সেটা এই মার্জার বিলের ভিতর অঙ্গীভত হওয়া উচিত ছিল। মুখ্যমন্ত্রীমহাশর ভেতলপুনেণ্ট ও পরিকল্পনাব ইঙ্গিত দিয়ে বলেছেন যে এই বিলের মধ্যে সেট। কিছুতুেই অঙ্গীভূত হতে পারেনা সে সম্পর্কে আমরা একমত হতে পারি না। করে শিক্ষকসমাজ এ দাবী করবে যে, যে করপোরেশন প্রতিষ্ঠিত হতে যাচেছ, তার হাতে যেন হেলগ এবং সেকেগুরি এড়কেশনএর নিয়ন্তনের ভাব দেওয়া হয়। বিশেষকরে আইনের বাধা ধাকলেও মুখ্য-মন্ত্রীর কাছে অন্ত ত: আলোচনার মাধ্যমে এই খাশুাস খামরা চাই ১ে তিনি যে করপোরেশন প্রতিষ্ঠিত করতে যাচেছন সেই করপোরেশনএর হাতে যেন সেকে গ্রারি এডকেশনএর ভার দেওরা হয়। ছাত্র, শিক্ষক এবং অভিভাবকরা যে সমস্ত সুবিধা লেখাপড়া শিখাৰ জন্য পাচিছল সেই সমস্ত খব্যাহত রাখবেন, এই আণ্যাস অন্ত ত: তিনি এখানে দেবেন এটাই আমরা আশা করবো।

Sj. Nirmal Chandra Bhattacharyya: Sir, I have given notice of an amendment.

Mr. Chairman: I have received your amendment. But I think that the amendment does not fit in with the main resolution as it has been moved. The main resolution says that "the Council approves of the provisions of the Chandernagore Merger Bill, 1954" and so on; whereas your resolution reads like this-"This Council deplores that the provisions of the Chander-nagore Merger Bill, 1954, are not in consonance with the official statement made by the Deputy Minister for External Affairs, Shri A. K. Chanda, on the 24th March, 1954, that the recommendations of the Jha Commission were to be accepted in toto." Now the member may in course of the debate refer to the object and when the whole debate will be laid before the Indian Parliament, his views will be taken into account when considering the Bill in Parliament. I declare this amendment to be out of order. But the honourable member can express his views with reference to the amendment which he wanted to move.

Sj. Nirmal Chandra Bhatta-charyya: Mr. Chairman, Sir, I rise to make a few observations upon the motion that has been placed before the House by Dr. Roy. In course of moving his resolution Dr. Roy has made a speech which is apparently convincing but there are certain aspects of his statement which leave certain doubts in the minds of the critics of the Bill and the provisions of the motion that have been placed before the House. Sir, it is quite possible that the history of the merger of Chandernagore will be a history of broken promises. I say so because I notice that in the Merger Bill which has been prepared by the Home Department of the Government of India there is no mention of respecting the wishes of the people regarding which frequent declarations were made by responsible officials of the Affairs Ministry and by responsible Ministers.

[10-20—10-25 a.m.]

Sir, had the Statement of Objects and Reasons attached to the Bill stated that in due course the Government of West Bengal would take into consideration the wishes of the people and implement a Bill for the purpose of instituting an autonomous Corporation in Chandernagore, I would have nothing to say, but there is nothing of the kind and, therefore, to all intents and purposes facts point to certain very undesirable development and the development may just take this turn that the two promises given to the people would be broken by the Government of India as well as by the Government of West Bengal. Sir, nearly a fortnight before the referendum took place, on the 5th February, 1949, our Prime Minister made a statement that in the future set up of Government of Chandernagore the wishes of the people would be taken into consideration and adequate quantity of autonomy would be introduced in the Government of the territory concerned. On the 9th June, 1949, in another public statement the Prime Minister said very nearly the

same thing. On the 27th October. 1949, after the referendum had taken place an official communique was issued by the External Affairs Ministry which ran in part as follows: "In the future set up the people's wishes will be respected." I will come to a very recent history. In June, 1953, Shri A. K. Chanda, Deputy Minister of External Affairs, made a statement in Delhi and in course of the statement he definitely argued that it may be possible to give Chandernagore all the privileges that Chandernagore had been enjoying before the merger. Sir, permit me to refer to the attitude of the party in power. Resolutions regarding Chandernagore were adopted at the Jaipur and Nasik Congress sessions and resolutions were to the effect that so far as the merger was concerned, the merged areas would be given the rights which the people of the locality demand and these rights would not constitute any diminution of the rights that they had been enjoying before the merger. Dr. N. V. Rajkumar, Secretary of the All-India Congress Committee, says "The problem of French India"—he says very clearly their autonomy would be respected to the extent they wish to keep it". In this connexion, I would also like to draw your attention to the Treaty of Cession which definitely says, as Dr. Roy has pointed out, that "every care will be taken to ensure the continuance of cultural heritage in accordance with the wishes of the people". Now, Sir, what are the wishes of the people? Sir, the parties, the organised political parties, in Chandernagore submitted a memorandum to the Government of India and stated that subjects like law and order, judiciary and general administration would certainly transferred to the Government of West Bengal, but with regard to the nation-building departments they made a prayer and that they argued that in view of the creditable achievements so far as management of the nation-building departments was concerned, it was desirable that they should be given the autonomy. Sir, in this connexion

it will not be out of place to refer to some of the achievements in the field of nation-building of the people of Chandernagore. They have an area of 3½ square miles and within this small area there are 54 primary schools.

[10-25—10-30 a.m.]

Ninety per cent. of the primary school-going age children get free education. How favourably it compares with the inefficient management of educational affairs by the present Minister of West Bengal who might contemplate upon it and come to his own conclusion? Sir. 60 per cent. of the secondary school-going age children are in schools today. A first rate college with Honours in nearly all the subjects is being maintained, and the results it has shown in the University examinations are also fairly satisfactory. Sir, this educational record cannot be approached by any of the neighbouring towns like Serampore or Hooghly. Sir, out of a budget of nearly 191 lakhs Chandernagore used to spend 35 per cent. on education. You might ask how much the Hon'ble Mr. Pannalal Bose is spending for Education. Sir, on Health they are spending 11 per cent. of the total budget. That also does not compare unfavourably with the special charge of the Health Minister.

Sir, I will next refer to the recommendations of the Jha Commission. My contention is that the provisions of the Bill are not in consonance with the recommendations of the Jha Commission. Commission took into consideration the historical circumstances of the merger of Chandernagore with the rest of India. They took into consideration the possible repercussions of our treatment of Chandernagore on other territories in India. They also took into consideration the remarkable progress of Chandernagore, the comparatively remarkable progress in education, health, sanitation, road building waterworks, etc., considering its size, its all round progress; all these were taken into consideration by the Jha Commission. Above everything

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else the Jha Commission referred to the repeated assurances given to the people of Chandernagore that their wishes would be respected when the new set-up is introduced. They, therefore, made a recommendation that a Corporation should be created and this Corporation should have wide powers regarding primary and secondary education, hospitals, in fact nearly all nation-building departments. So, that is the history of the whole case. If we look at the Bill, we notice that there is not even a mention of respecting the wishes of the people. That is the saddest part of it. Chief Minister has said that the Bill is in course of preparation. say that we have no faith in this Government. The history of this Government is also marked by frequent breaches of promises. We would have liked to see some kind of assurance given in the Bill itself-there is no legal bar to giving just a hint, there is no legal bar to the introduction of the question of sovereignty or autonomy to Chandernagore in the Statement of Objects and Reasons. But in the absence of all this we really come to distrust the manner in which the Government has been proceeding. Sir, on the 24th of March, 1954, in the House of the People the Deputy Minister for External Affairs definitely stated that the recommendations of the Commission would be accepted in toto. Is this how that declaration is being respected? Here is the official statement, and in this official statement there is nothing that is left dubious or doubtful. What I argue, therefore, is that the promises and official statements have not been adhered to in the matter of framing the Bill.

[10-30—10-35 a.m.]

It is really unfortunate that, after such a solemn declaration, after so many promises, promises should have been broken in this way. it has been argued by somebody somewhere, some people in very responsible quarters that when another State, namely, Cooch Behar

came to be merged there was no such question raised by the members of the Legislature. I argue that the two cases are not on the same level. They are entirely different. Comparison does not hold good at all. In the first place, Chandernagore was a foreign territory whereas Cooch Behar was our own territory. Chandernagore was connected as foreign territory with the External Affairs Ministry and Cooch Behar with the Home Ministry. Then, Sir, Chandernagore has come to be part of the Indian territory as a result of international treaty but Cooch Behar always remained an Indian possession. Then the Central Government had given repeated assurances as to respecting the autonomy of Chandernagore. There was no such assurance so far as Cooch Behar was concerned. Then again we have to think of the repercussions of the policy that we follow in Chandernagore on other foreign pockets in India. This is a matter which has been neglected altogether. Sir, in view of this I feel that the Government is guilty of breach of promise and the West Bengal Government is guilty of aiding and abetting the Government of India.

Mohitosh Rai Choudhuri: Sir, I have listened to the speeches which have been ably delivered by some friends on the other side. have been listening to the speeches with raptest attention and I wish to agree with much of what they have said. Certainly, if the Government had not consulted the wishes of the people of Chandernagore they must be held guilty but I fail to understand whether they have been guilty of breach of any assurance given to the people of Chandernagore. I have also read carefully the recommendations of the Jha Commission. I have had the additional advantage of discussing the matter with several influential citizens of Chandernagore. I do not understand whether any of them disagreed with the provisions which have been embodied in the Bill which has been before us. Only on one point I find silence in the Bill which is before us. There is no

provision for the appointment or for the election of a Corporation in Chandernagore but, Sir, if we think over the matter very carefully we find this is a matter which concerns more the Provincial Government than the Central Government which has proposed this Merger Bill. shall certainly join with my friends when I will find that the State Government under the promised Bill which, Dr. Roy says, will be presented before this House at one time in future, have been guilty of the breach of promise made by the Central Government to the people of Chandernagore. Sir, then the time will come for condemnation of the State Government. But I cannot really understand why at present many of my friends object to this simple measure which is being enacted. Of course, if some of them like to hear their own voice they can wax eloquent on measures about which there should not be any difference of opinion. But, Sir, I fail to understand in what respect pledges have been broken by the Central Government. I would, therefore, ask my friends to hold their souls patience and let the resolutions be adopted.

[10-35—10-40 a.m.]

The Hon'ble Dr. Bidhan Chandra Roy: The Bill is not to be passed tere.

Dr. Monindra Mohan Chakraparty: The Bill will be passed by he Central Government.

The Hon'ble Dr. Bidhan Chandra Roy: It is perhaps easier to make person understand who cannot inderstand; but it is difficult to nake a person understand if he won't understand. And if he wants to fight a Sancho Panza of his own magination, it is impossible for us of meet such arguments. There is great confusion of thought as if he statement made by even the rime Minister or the External Affairs Deputy Minister or Dr. Jhams more value than the statement which was issued on the authority of the Government of India on the

5th May, 1952, on the basis of Dr. Amar Nath Jha's recommendations. Sir, many of the recommendations of Dr. Jha have been included in the Bill. But I may state one item regarding the establishment of the Corporation. Thenotification issued by the Ministry of External Affairs says that Chandernagore should have a Municipal Corporaand that the legislative measures necessary for this purpose will be considered by the State Government. Nothing more and nothing less than that. Where does the word "autonomy" occur? Does it occur either in the statement of the External Affairs Ministry or in the statement quoted by my friends made by the Prime Minister? Sir, a great deal has been talked about autonomy. The Jha Commission Report on which they base most of their arguments says this: "It has been represented that Chandernagore should have a larger measure of autonomy than is enjoyed by other States. A summary of the decrees would reveal, however, that the so-called autonomy was severely restricted—it stipulated that the legislation in force for the municipal election in the French establishments shall be applicable to the establishment of municipality in Chandernagore. The President of the Council who governs the city shall have the power to declare acts and deliberations null and void and dissolve or suspend the Assembly." If I were to put down that future of the autonomy of Chandernagore and make a provision that the President of the Indian Republic shall have power to dissolve the Corporation or that the Governor shall have the power to dissolve the Corporation, what will the country say? Sir, it is no use simply taking one sentence here and picking out another sentence there without reading the whole thing and say what kind of autonomy is given.

The next question that has been raised is with regard to the Treaty of Cession. In the statement made by my friend Professor Bhattacharyya, it was stated that the Government of the Republic

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[The Hon'ble Dr. Bidhan Chandra Roy.]

will maintain the cultural heritage, Not a bit of it. I have been reading the Treaty of Cession, Article 9. The Government of the Republic of India is to assist in the continuance of the French cultural heritage in the territory of the free town of Chandernagore in accordance with the wishes of the people of the said territory and shall permit continuance or establishment of cultural services with the Government of the French Republic. There is no question of the Government of India undertaking any particular task. Its only task is to assist the continuance of the heritage or permit the continuance of the cultural services of the Government of the French Republic. the French Republic wants to continue any centre of culture, the Government of India or the Indian Republic will not go against it. That is the meaning of the Treaty of Cession. I wish a cultured and educated man like Professor Bhattacharyya had read the Treaty before he made comments. A great deal has been said as regards the expenditure on education in the free city of Chandernagore. Sir, in the Jha Commission's Report there some revealing figures which I would give to the House.

[10-40-10-45 a.m.]

In May 1950, the Government of India took over the de facto administration of Chandernagore. In 1949 —I have not got the figures pre-vious to that year—the total expenditure on Education was Rs. 5,25,000. In 1951, one year after taking over, it was Rs. 6,44,000—that is, Rs. 1,50,000 more and the provision for 1953-54 is Rs. 7,02,000, nearly 50 per cent. more than what was being spent during the French administration. Sir, there is a habit among most of the people to decry every Government act to strengthen their arguments as Professor Bhattacharyya says "We do not trust the Government". Sir, if he has no trust in the present Government, he

entitled to bring a vote of no-confidence. The present Government is based upon popular franchise and the adult franchise in this State has given the Congress Government an overwhelming majority. If we go by the decision of the majority, we will be told that we were ruling by brute majority. But, Sir, how else can we rule? Democracy is working in all parts of the world like this except in some areas where we have got the system of democratic detention. Sir, so far as the present Bill is concerned, I have repeatedly said—and that is why I intervened in the course of the speech of Dr. Monindra Mohan Chakrabarty that Jha Commission only stated that there should be a Corporation—that on the basis of the Jha Commission the Government of India stated that the State Government should set up the Corporation. In conformity with the principle the Central Government shall not take up any subject with regard to a thing which is on the State List. As a matter of fact, I personally would have resisted a great deal if the Government of India undertook to legislate on a State List—on which under the Constitution we are to legislate. It would be improper if the Central Government were to legislate so far as the Municipal Corporation is concerned, because that is entirely in the State List.

With regard to the other part of the amendment, I have already mentioned. If Chandernagore is to get a representation in the Legislature it can only be done by attaching one or two areas of the neighbourhood so that the provision of Article 170(2) of the Constitution might be conformed with. It says definitely "shall be on a scale of not more than one member for every seventy-five thousand of the population" excepting the town of Shillong. Therefore, if some areas can be included into Chandernagore the population may go up to 75,000 and it may have its own representation, and the constituency would be formed with those areas. But the Legislative Department draft the Bill like that now before inclusion of those areas.

[10-45-10-50 a.m.]

Therefore, Sir, there is not a shadow of truth in the statement which has been made by the Opposition. I say that deliberately because by repetition of a thing which is not correct-according to the principles followed by the leaders of thought in the Nazi Ministry-by repetition of a thing which is not correct several times you begin to think that it is correct. It is not a question as to whether a particular sentence in the Jha Commission's Report is given the proper consideration this Bill. It is the resolution of the External Affairs Ministry which I have read out in detail before which has to be given effect to in the Bill, and I say that so far as this Bill is concerned, it has no concern with anything pertains to the State Government. Suppose the question of free primary education in the which has been mentioned in the Jha Commission's Report is not given effect to by the State Government which is really responsibility of the State Government. Naturally the Government of India will come down upon the State Government, but I say, Sir, that this cannot be included in a Merger Bill. A Merger Bill is only a Bill of Parliament for the purpose of merging a certain territory in the State of West Bengal according to the provisions of the Constitution.

Therefore, I oppose all the amendments.

The motion of Dr. Monindra Mohan Chakrabarty that the following be added at the end of the resolution:—

- "subject to the following suggestions for amendments in the provisions of the Bill, namely,—
- (1) In clause 6(a), lines 5 to 7, the words beginning with 'whether with the addition' and ending with 'without such addition' be omitted.

- (2) The clause 9 be omitted.
- (3) The following clause be added after the clause 16:—
 - '16A. A Municipal Corporation for Chandranagore shall be set up 25 • elected citizens of the city. to be so elected under adult franchise and with wider powers and exercising control and administration the Departments of Health and Secondary Education over and above its municipal functions. finances of the Corporation may be augmented by means of subvention from excise and other duties',"

was then put and lost.

The motion of the Hon'ble Dr. Bidhan Chandra Roy that this Council approves of the provisions of the Chandernagore (Merger) Bill, 1954, annexed to this Resolution, was then put and agreed to.

Debate on the Situation created by the recent floods in North Bengal districts.

Mr. Chairman: We shall now proceed to the next item—"Debate on the situation created by the recent floods in North Bengal districts." In the other House they devoted two hours to this debate. I think one hour should be quite enough in this House, and the Hon'ble Mr. Sen may speak in the end.

The Hon'ble Prafulla Chandra Sen: Yes, Sir. I have already circulated a statement.

- Mr. Chairman: I would request members not to exceed ten minutes. There are several names.
- **8j. Nirmal Chandra Bhatta-charyya:** Sir, I would be grateful if you would devote one and a half hours because there are so many speakers on this side.

Mr. Chairman: All right, let us see how the debate proceeds.

Si. Debendra Sen: Mr. Chairman, I do not know whether I would be able to finish within the prescribed limit of ten minutes. I have gone through the statement submitted by the Hon'ble Prafulla Chandra Sen. I would say in the first instance that it is disappointing. It is almost a lamentation, there is no message of hope in it. It has tried in some cases to magnify the problem, not with the object of devoting the maximum efforts on our part or on the part of the Government, but with object of showing that the problem as it now stands is impossible of solution by human endeavour. Therefore, there is a ring of fatality in it. That is why it is disappointing. There is no doubt that there is a considerable amount, perhaps, of creditable emotionalism in it, there is no determination, grim determination required of an administrator, of a State Minister, as such a tragedy calls for. Sir, why I say it is disappointing is because out of this great tragedy four problems have arisen.

[10-50—10-55 a.m.]

Firstly, what is the extent of the damage done to life and property, done to the paddy crops, done to paddy fields, done to the tea garden estates, done to road communication, done to the railways? This is the first aspect of the probem. The report does not particularly say what is the loss of life. That is the main thing which I want to emphasise. It is an eyewash. It does not say how many are dead and how many are dying. It does not say how many are starving. The report mentioned that pockets have been created. Certainly, pockets must have been created. If pockets have been created people have been marooned there. What are we doing? What steps have been taken? the number of pockets, what is the number of people isolated there and how many of them are faced with hunger? How many of them

are dying every day? We have read in the papers that a baby has been washed away from the breast of the mother. There is no human touch in this report. That is why I say that it is disappointing. Then second point is what measures have to be taken by the Government or have been taken by the Government to cope with the situation. Sir, I should say there is no plan in this report. In the first appendix there is a report given by the Government of the help contemplated in this manner and in this respect. The total amount contemplated to be spent is 47 lakhs. The Minister himself says that the damages caused are in the region of 20 crores. It may be more but assuming that it is 20 crores the money granted, contemplated to be spent—not spent—is 47 lakhs and additional 42 lakhs would be spent so long as water lasts. I draw your attention to that appendix. Agricultural loan which cannot be given just now, crop loan which cannot be given just now, cattle purchase loan which cannot be given just now, all these items are merely suggestions thrown and if they are going to be spent how they are going to be spent. There is no mention of it there is no comprehensive proposal placed before the Council that such is the damage and such is the amount of money which Government expects from private sources to come and Government wants to spend. We do not know how food is being reached at the doors of these suffering people. There is no mention of it here as to the amount of relief to be given by the Government. This Government does not give us any idea. It is faulty. It failed absolutely to give any satisfaction to us. Sir, as I have said the Minister has tried to depict that the causes lay beyond their control in several senses. In the first sense the sources of the rivers are in other States or in regions which are beyond West Bengal in Sikkim, in Bhutan and in Tibet. In the second place, Sir, I draw your attention to page 9, paragraph 2,

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of the report. It almost seems that the causes are chiefly geological or even extra terrestrial. So he invokes some paramount power and says that the causes are lying there and beyond human power. We find at page 8 bottom "any comprehensive measure to control the floods would involve a control of not one or two or eight rivers but of hundred rivers and their tributaries and branches which is a near impossibility".

[10-55—11 a.m.]

This is a near impossibility. That is why I said that there is no hope. We wanted hope, people are suffering and we wanted a message. But here in the statement placed before the House in a very dexterous way you say that nobody can do anything—neither can government do anything. We are all to suffer and suffer.

The Hon'ble Dr. Bidhan Chandra Roy: May I ask my friend to speak a little less loudly so that we can hear better?

Sj. Debendra Sen: Thank you. I will do that. (An HONOURABLE MEMBER: If he does that we on this side won't be able to hear.) I do not know what I am to do. So many suggestions have come to me—I cannot accommodate everybody even though I would like to.

Mr. Chairman: Your voice is loud enough and you need not use the mike.

won't use the mike. Sir, as I was trying to say, that the problems have been magnified and suggestions have been thrown that these are problems which cannot be solved by human beings and that is really the unkindest cut of all.

The Hon'ble Kali Pada Mookerjee: That is layman's view point.

Dr. Monindra Mohan Chakrabarty: Assisted by experts.

Sj. Debendra Sen: After this interruption it appears in my mind

that this is really a school boy's essay. This report is really a school boy's essay and every school boy will be interested in reading this report but not members of this Council or members of the Legislature. It has been said that "in this way water has poured into this branch, water has poured into that tributary——(The Hon'ble PRAFULLA CHANDRA SEN: Sometimes members of the Legislature behave like school boys.) Really in this report of 10 pages 8 pages give us report of the damages and in that report we get only how the river Teesta has carried river water into which branches and into which areas, how the river Torsha has carried water into which branches. It is really interesting to a school boy while writing an essay; it might be interesting to the department. But for us who are here to feel what amount of damages has been done to devise ways and means to check recurrences of such things it is useless, this document is useless. So I was saying that you cannot now say that everything depends upon God and we are in this matter helpless. To say so is only to deceive the people. It is only to conceal your own incompetence, and we do not believe in that. We say these are problems which can be solved, which should be solved and which must be solved. Sir, regarding the causes, three reasons have been given—(1) intensive rains in the catchment areas—perhaps true. But could it not be foreseen when the rains were falling that the waters are accumulating in certain areas, say, in Tibet or Bhutan or in the catchment areas and could not the people be informed beforehand that there was a possibility of a danger of flood occurring and warning them to be careful. I say that this is a task which can be done and can easily be done by a plan by one of its departmental officers. But nothing has been done. The second cause is little absorption or precipitation in the catchment area due to absence of forests. Here is the admission of Government's

[Sj. Debendra Sen.]

failing. Why there is absence of forests, I would ask? Why there should be no forests there? We are spending money for the Forest Department.

[11-11-5. a.m.]

If you want money we are prepared to give you money. How is it that due to absence of forests there is little absorption of water? Sir, the third reason has been given as the geologically unstable nature of the soil increasing the volume debris brought down by the rivers. Sir, I do not accept all these as the true causes of the flood. They may be one of the causes. But they are not the only causes. I think the main causes have been left out. I would request, Sir, very seriously to find out what part the Assam Link is playing in this matter how the railway link is playing in this matter. I find in the third paragraph of page 1 of the state-ment it is stated "Early in June the river Teesta was found cutting into the railway embankment between Domohani and Barnes Ghat in Jalpaiguri". Then, Sir, if there were more embankments there would not have been any flood. So that cause has been left out altogether. Sir, I would request the Minister to look into it. Much damage has been caused by this Assam Link—old North Bengal Railway line.

Sir, now comes the remedy. The Hon'ble Minister has said "Everything depends on God". He has suggested nothing seriously. No remedy has been suggested by him. He has made one or two references. These references are that possible measures should be aforestation and soil conservation in catchment areas. Sir, we have been suggesting to the Government of India to do something by which floods could be controlled but they have not paid any attention to our representation and the result has been that floods are coming with more and more vigour.

Sir, in conclusion, I would like to make some suggestions. first suggestion is that a party composed of members from both the Houses should be escorted to the areas along with the Minister and the other Government officials just to see what damages have been done. I do not believe in the simple statement made by the Minister. I feel people are dying They-the there in numbers. Government—do not say That is why I want to go thereto see the pockets where people have been stranded. There should be one centralised relief committee including the Government and the non-officials. It is not a very difficult thing to do. In that way you can give the maximum amount of help to the distressed people. Some of the honourable members may remember how the Sankattran Committee was formed without any Government help and I dare say what that committee did no Government would be able to do like that. So if you have a centrally organised committee, we may be able to do something in that respect. I would like the formation of such a committee and steps should be taken in this matter. In this connection, I remember a statement made by Mr. Kidwai in which he said that the after-effects of floods in Bihar would soon die out than in West Bengal. Because relief measures could be carried on there by boats. But here we have no boats. In Bihar you can carry people from one pocket to another in a boat. But here there is no such arrangement.

[11-5-11-10 a.m.]

Therefore, a commission should be appointed. We may have such floods next year also. We may not be able to prevent these floods immediately in a year, but we may be able to alleviate the sufferings of the people, and for the purpose of alleviating the sufferings we should have a commission and we should devise measures which should be immediately taken in the event of floods occurring again.

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With these remarks I conclude my speech.

Sj. K. P. Chattopadhyay: Sir, the Hon'ble Relief Minister has produced a statement in which he has expressed his gratitude to the Hon'ble Mr. Kidwai Hon'ble Shri Nanda for their tour over the flooded areas. Thanks should be given where it is due. But I would like to draw his attention to a remissness on the part of another Union Minister. regret that this should have happened. The railways have been granting concession at one-fourth the rate for freights carried for relief to North Bihar and Assam during August. But even on 1st September when a party of relief workers of the Yuva Sangha of Calcutta and the People's Relief Committee went via Sealdah they were charged full rate because it was for North Bengal Relief and no concessions were granted. I telephoned to the Chief Minister Dr. Roy and he promised to look into the matter. On the 3rd September he informed me that my report was correct but that on the 1st September orders had been issued by the Railway Ministry to set it right. Now, Sir, such a thing should not have happened. The floods of North Bengal were sufficiently grave and our Relief Minister should have been more alert. I am mentioning this so that in other matters such remissness may not occur. We have now been told by the Prime Minister that he will set up commissions—River Valley Commissions. In his yesterday's statement he talked about Ganga River Commission and Brahmaputra River Commission—but the areas have not been specified. I should, therefore, suggest \mathbf{that} our Ministry should be more alert in this respect so that Bengal may not be overlooked. I have stressed this point because of something which the Hon'ble Relief Minister has written, and to which Mr. Sen has already referred, that he considers river training for the whole area of North Bengal "a near impossibility"-those are his actual

words-and he adds "One is almost tempted to say that man's powers to wrest from Nature are limited". I am afraid like Louis XIV who said "L'etat c'est moi" (I am the State) the Minister has extended his limitations to whole humanity. When the Damodar floods came prior to 1944, similar statements were made by those in power under a foreign Government. They said the same thing, about controlling Damodar floods, that it was almost beyond human power. But by seeing the river training in other countries and the consequent developments it was realised that it could be done, and you now have the Damodar Valley Corporation. It is a matter of regret that although power has been transferred more than six years ago, no constructive planning of river training for North Bengal has been carried out so far. The plan for the Damodar Valley Corporation was indicated by Dr. Meghnad Saha. The long-term steps necessary for flood control in North Bengal could have been taken up as early as 1948. We do not find any mention even in the report of the Relief Minister that they have been taken. He has brought in the names of Bhutan and Sikkim and even that of far off Tibet to exculpate himself of the fact that sufficient steps have not been taken. (Sj. Nirmal Chandra CHARYYA: Also Switzerland.)

[11-10—11-15 a.m.]

At the bottom of page 8 of the report we find it stated that these floods happened mainly due to intensive rain in the catchment areas, little absorption of precipitation in the catchment area due to absence of forest cover and the geologically unstable nature of the soil increasing the volume of debris brought down by the rivers which in their turn are continuously raising the level of the river beds thus aggravating the problem. Certainly I agree that the great increase of outflow caused the flood. It is to be remembered that the deciding factor is the capacity of the channels to carry the volume of

[Sj. K. P. Chattopadhyay.] water that rushes down from the uplands. It is necessary to find out whether the carrying capacity of the channels are at the critical point or the threshold of the critical level had been reached. So far as I am' aware research work on these lines have not been carried on an adequate scale. Only a little work has been done. Now it is well known that during the last world war forests in particular hills were recklessly utilised for supply of timber and deforestation took place. Since then there has been no attempt to regulate grazing of cattle in these forests. Grazing of cattle deforestation both cause soil sion which also leads to removal of humus thereby reducing the power to absorb rain water. It has been said that the expenses will be very high and, therefore, nothing could be attempted. I may point out that the Chief Minister of Bihar gave some figures of the loss caused to Bihar in the last 10 years or less due to flood. He said that the total loss is equal to one-fifth of the total expenditure proposed for the national plan for the next five years. So far as the loss caused to North Bengal is concerned it is stated to be over 24 crores of rupees which is more than what has been spent on the Hirakud Dam in Orissa. The Hon'ble Minister has also mentioned that in 1950 there was flood in one set of rivers in North Bengal and in 1952 another set of rivers were in flood. The average loss for six years is over Rs. 6 crores per annum. This is equivalent to 3 per cent. interest on a loan of 200 crores of rupees. The entire Bhakra Langal Project has been completed with less than half that amount. I think, Sir, the Government, since they came into power, should have taken steps to see that all the necessary long-term plans were adopted—regulation of grazing, dyking, afforestation, terracing and gully plugging should have been done in these areas. I do not know what Khagendra Nath Hon'ble Das

Gupta who represents that area has to say about those measures. The Prime Minister said that he will set the machinery in motion with regard to these matters. So I shall not press this matter in this House further but I have to say something about the relief measures.

on floods.

[11-15-11-20 a.m.]

The Government should help all groups irrespective of political creed and secure local co-operation. The engineers and experts who visited China have stated that with the help of the local people flood control has been achieved in that country without very expenditure on very big machinery. Here, however, Sir, we have received reports that local cooperation has been rejected by our officials. For example in the out-skirts of Jalpaiguri before the floods the local peasantry wanted some money grants, less than Rs. 1,000 or so, putting up embankment. This was, I am told, rejected but subsequently when the floods came, several thousands of rupees had to be spent. The Minister may shake his head. Probably it did not reach your daftar but we know of petitions which were made. There is a rule in these offices to mark petitions (Waste Paper W.P.B. with Basket). In another area 1 am told that the people had been pressing for proper strengthening of the embankments and immediate repair of the partial breaches. But after inspection the officials said "we shall proceed gradually to do these things, there is no urgency". But four days after this the banks gave way and the area was flooded. These reports have come from people who have gone to the flooded areas after going from Jalpaiguri on foot for many miles, not as a result of aerial survey. We have also received report that a very small amount of food as relief is available per head. I understand that the dry dole that is being given comes to 2 seers per week per adult; that works out at 9 ounces per day. I do not think

when other food is not available 9 ounces per day can enable the people to live. Unless you increase amount to 14 ounce at least per day those whom the floods have spared, malnutrition and epidemics will sweep away.

Another point I should like to draw your attention to is this, that it appears that after the flood of the 23rd August a certain amount of rice was dropped via Teliana air field. It was reported that the rice was not fit for human consump-There was 110 remedy The assumption is apparently. that in the opinion of officials beggars cannot be choosers. another area I am told that the Agricultural Department officer protested against the inadequate amount sent to that particular area and returned the amount. (The Hon'ble Prafulla Chandra Sen: Inadequate amount of what?) Inadequate amount \mathbf{of} sent to that area. You will get the report later on. The result was that no relief grant was distributed. I have received a report just now by special letter express delivery from someone who travelled about fifty miles on foot through the affected area, from planes at an olympian altitude, you do not see much I understand that on the 6th September, the Red Cross sent a radiogram from the Nagarkati area that the surroundings of this area were still in a dangerous condition and medical relief and other reliefs were not reaching there. A party of the People's Relief Committee went there with doctors on the 4th. Nothing has been heard of them or from them. I think in such cases the Government should give these relief workers adequate equipment in the matter of milk powder which is a monopoly of \mathbf{Red} Cross the organiation practically for bution and also medicine which is badly needed in these areas. have not used any other data except that which can be authenticated. I hope the shortcomings will be remedied.

[11-20—11-25 a.m.]

Janab Abdul Halim:

भि: (हसात्रमान गात्र, भाननीय तिनिक मन्त्री, <u>भौयुक</u> পুফুর সেন বহাশয় উত্তর বঙ্গের পুলয়ক্ষর বন্যা সম্পর্কে যে বিবরণ দিয়েছেন ঙা আমি মনোযোগের সঙ্গে পড়েছি। ৬ই আগষ্ট তারিখে তিনি প্রেস কনফারেনেস যে বক্তা দিয়েছিলেন সে বক্তা থেকে এটা স্বতম। সেই সময় মাননীয় পুত বিভাগীয় মন্ত্ৰী থগেন্দ্রনাথ দাশ গুপ্ত মহাশয় যে খবর দিয়েছিলেন এবং পেসে যে খবর বেরিয়েছিল শেগুলোকে তিনি ভীঘন মনে করলেও সেগুলো তিনি স্বীকার করেননি। এখন তিনি বাধ্য হয়ে সেখানকার প্রচণ্ড এবং ভীষন কাহিনীর কণা বিৰত কবেছেন সেটা আমরা পাঠ্য-পস্তকের মত একটা বিবব-ীতে দেখছি। শীযক্ত দেবেন সেন মহাশয় একটু আগেই বলেছেন যে তিনি যে বিবরণী দিয়েছেন সেটা তিনি আকাশপথে উড়ে যে দশ্য দেখেছেন তা খেকেই সংগ্ৰহ কবে দিয়েছেন। কিন্তু সেই বন্যা বিংবস্ত অঞ্চলে যে কি ব্যাপার ঘটেছে, মানুষেব যে কত বেশী দু:খ দুর্দশা চলছে, যাতে नाना ज्ञान विविद्या श्रातक, এवः व्यत्नक ज्ञान विविद्या না হলেও সেধানকার লোক যে কি অবস্থায় আছে তার বিবরণ তিনি দিতে পারেননি। তাঁরা নিজেরাই স্বীকার করেছেন যে তাঁরা আকাশপথে উডে যে বিবরণ দিয়েছেন তা থেকে দেখেছেন যে সাত লক্ষ জমির शन નષ્ટે **হ** यেट्ड পার্শেণ্ট অর্থাৎ প্রায় ৪৭ লক্ষ মণ ফগল নষ্ট হয়েছে — তाव म्ला श्ल ७,७२,२०,००० होका ववः वालि ও সিলটএ বহু জমি চামেব অযোগ্য হয়েছে; তাতে কোটি কোটি টাকা মূল্যের পাট নষ্ট হয়েছে এবং হাজার হাজার গমের ক্ষেত নষ্ট হয়েছে--সেখানকার **म:श्र अक्ष्रत्म क**ित পরিমান ১২,৬৫,৯৫,০০০ টাকা, এননকি ২০ কোট টাকাও হ'তে পারে। এই আনুমানিক থিসাব যে দিয়েছেন তাতে আমর। বলি যে গভর্ণমেণ্ট এই ভীষণ অবস্থায় কি সাহায্যের वार्षिक करवरकन ? किष अप पिराहिन ১१ नक ২ হাজার ৭ শত ৬০ টাকা অর্থাৎ ''পার হেড্'' ১ টাকা দুখানা, ক্যাটল লোন দিয়েছেন ''পার হেড'' দেড় টাকা ক'রে এবং ক্যাটল পারচেজ লোন দিয়েছেন ৭৫ হাজার টাকা; প্রাচুইটাস রিলিফ দিয়েছেন ৬ লক্ষ ৩৬ হাজার টাকা, তাছাড়া কম্বল দিয়েছেন ৮০০, জামা দিয়েছেন ৫.৩১১ এবং কাপড দিয়েছেন ৫৭৩ थाना। कात्रिशत्रापत्र ७ लान पिराराष्ट्रन এवः বিলিক এর যে একটা হিসাব দিয়েছেন তাতে বলছেন গভর্ণমেণ্ট তাদের সাহায্যের ব্যাবস্থাও করেছেন। অর্থাৎ তাঁরা বলুছেন যে তাঁরা যথেষ্ট করেছেন---

Debate

[Janab Abdul Halim.] এইরক্ষ একটা আত্য সম্ভষ্টিরভাব ফুটে উঠেছে। ৰাননীয় পুৰুল সেন মহাশয় শেষকালে বিবৃতি দিয়েছেন যে এই এই নদী থেকে জল এসে ওইভাবে প্লাবিত হয়ে যায়; আর সেখানে করার কিছুই নাই, একটা দুটো নদী নয়, বোধহয় একশ নদী এবং তার ওই দুনিবার শ্রোতী সেখানে নদীর বাঁধ বেঁধে কণ্টোল করা সম্ভব নয়, এই একশ নদীকে বাঁধতে যাওয়া তাকে কণ্টোল করা, এ মানুষের অসাধ্য, এ ভগবানের ব্যাপার। এই বলে তিনি হতাসারতীব প্রকাশ ক'রে বসে আছেন। আজ পর্যান্ত বন্যার রিপোর্ট পাওয়া যায়নি। যে রিপোর্ট পাওয়া গেছে তাতে মাননীয় রিলিফ মন্ত্রীর সেখানকার অবস্থার বিষয়ে যে চেতনার ষ্মভাব আছে তা বুঝতে পারা যায়। কেননা প্রেস রিপোর্ট থেকে যে খবর পেয়েছি তাতে ধ্বংসের পরিমাণ আরও অনেক বেশী। জ্বলপাইগুড়ী ও ভুয়ার্সের চা বাগানের অনেক ক্ষতি হয়েছে; শত শত গরু ভেসে গেছে, শুমিকদের বর ভেসে গেছে এবং ১১টা পুলিশ থানা ক্ষতিগ্রন্থ হয়েছে। জ্বেলার च्यत्नक ञ्चारन विविष्ट्रनु इराग्रष्ट, এवः चनाना चःर्यव সঙ্গে যোগাযোগ নাই। ৭০০ বর্গমাইল বন্যায় প্রাবিত হয়েছে। কয়েক লক্ষ টাকার বনসম্পদ ভেলে গিয়েছে এবং ১,৬০০ একর চায়েব বাগান নষ্ট হয়েছে। প্রায় ২ লক্ষ লোক ক্ষতিগ্রন্থ হয়েছে এবং ২৫০ জন লোক মাবা গিয়েছে। নর্গ বেঙ্গলএব এম, এল, এ, দের ষ্টেটমেণ্ট ৫ই সেপ্টেম্বরে "হিন্দুস্থান ষ্ট্যাণ্ডার্ডে" বেরিয়েছে।

[11-25—11-30 a.m.]

মালদহ, কচবিহার ও পশ্চিম দিনাজপুরে বন্যায় যে ক্ষতি হয়েছে তার চার্ট তিনি এখানে দিয়েছেন यनिष्ठ दनगात मन्त्रभूनं तिर्लार्ड शाख्या याग्र नि। তৰ্ও আজ পৰ্য্যন্ত যে আমন্ত্ৰিক চিত্ৰ মোটামুটি পাওয়া গিয়েছে তা আপনাদের সামনে তুলে ধরছি। ১০ লক্ষ লোক ক্ষতিগ্ৰস্ত হয়েছে, ২৫০ জন লোক মার। গেছে,—এই রকম ভয়াবহ অবস্থার সন্মুখীন তারা হয়েছে। শুধু ২০ কোটি টাকার সম্পদ নষ্ট হয়নি; এই জ্বন্য মানুষের জীবনে যে শোকাবহ অবস্থা এনে দিয়েছে তাতে তাদের সমাজজীবনে পুন:প্রতিষ্ঠিত ক'রতে হ'লে সমস্ত শক্তি নিয়োগ করা দরকার। শুধু যে সেখানকার খেতের পাকা थान नष्टे इरग्रष्ट् छ। नग्र, मिथारन वितारे प्रकारनत्र সমস্ত সম্পদ নষ্ট হ'য়ে গেছে; প্ৰাকৃতিক সম্পদ সৌন্দর্যাহীন হয়েছে এবং একে গড়ে তুলতে হলে সমস্তরকম চেষ্টা করা প্রয়োজন। এটা বিরাট কাজ। कार्ष्ट्ररे ७५ त्रिनिक पिरलरे ठनरवना। त्रिनिक অফিসারেরা তাদের ভিক্ষকের মত ব্যবহার করে;

কিন্ত মনে রাখা উচিত তারা সাধারণ মানুম, মেহনতী ৰানুদ, তারা দেশকে শুৰ ক'রে ধাইরে বাঁচায়। তাদের পুনৰ্বাসন সৰ্বাণ্ড্ৰে প্ৰয়োজন ; সেই লক্ষ লক্ষ লোকের গ্রাসাচছাদনের, আশুয়, ঔষধ ও কাপড় ইত্যাদি ব্যবস্থা করতে হবে। এই সব দিক থেকে বিচার করলে স্পষ্টই মনে হবে যে গভর্ণমেণ্ট যে রিলিফের ব্যবস্থা করেছেন তা খুব অকিঞ্জিৎকর, এবং তাঁরা যেন রিলিফ নিয়ে খেলা করছেন। গ্রাচুইটাস রিলিফ সম্বন্ধে ধলতে চাই যে গভর্ণমেণ্ট ৬,৬৬,০০০১ টাকা দিয়েছেন, অর্থাৎ জ্বন প্রতি ১১ টাকারও কম পডছে। বৰ্ঘা শেঘ না হওয়া পৰ্য্যন্ত কাকেও টেষ্ট রিলিফের কাজে লাগান যাবে না; কৃষি-ঋণ, গরু ক্রয়ের ঋণও কাজে লাগান থাবে না. কেননা সেখানে এখন চাঘ করা যাবে না। মেরামতের জন্য ৩ লক্ষ টাকা ঋণ দেওয়া হয়েছে। মন্ত্রীমহাশয়ই স্বীকার করেছেন যে ৫০ হাজার লোকের ষর বাডী নষ্ট হয়েছে, তার পরিমাণ ৫ কোটি টাকা। ৩ লক্ষ টাকা দিয়ে ৫ কোটি টাকা কিরকম কোরে পুরণ হ'তে পারে জ্বানি না। বন্যা বিংবস্ত অঞ্চলত গন্তব্যের বাহিরে; সেখানকার পরিমান জানতে দেরী লাগবে। কাজেই হা**জার** হাজাব লোকেব ঔষধ, খাদ্য পোষাক দেওয়া দরকার। যতটা পনৰ্বসতির সাহায্য দ্বকাব, স্বকাব সে বিষয়ে হতাশাবভাব নিয়ে বসে আছেন। কুচবিহাব, দিনাঞ্পুর জলপাইগুড়ী ও মালদহ অঞ্চলেব খবর আমরা জেনেছি। এইসব জায়গায যাঁবা রিলিফ দেন তাঁরা সেটা দলেব কাজে ব্যবহার করেন; তা ছাডা অনেক জায়গায় সরকারী কর্মচাবীদের মধ্যে দুর্নীতি দিয়েছে। পক্ষপাতিত্বও দেখা স্বীকাব করেছেন যে শুধু একা গভর্ণমেণ্টের সাহায্যে वना। विश्वस लाकप्पत्र উপकात कता याव ना। राजना (मर्गिव गमछ लात्कत माराया भुराज्ञान। সেজন্য শ্রীসেনেব সভাপতিতে উত্তর বঙ্গে বিলিক কমিটি গঠিত হয়েছে। সেখানে গভর্ণমেণ্ট এবং সেই বেসরকারী প্রতিষ্ঠানই কেবল কাজ করেন— তাতে আছে কংগ্রেসেরই লোক। কিন্তু মাননীয় মন্ত্ৰীমহাশয় বলেননি যে সেখানে কমিউনিষ্ট উদ্যোগে কৃষক সভা, ছাত্র কেডারেশন, মহিলা সমিতি এবং অন্য অনেক রিলিফ পার্টি কাঞ্চ করছে। তাঁর বর্ণনায় সে কথার কোন উল্লেখ নাই। তারা গ্রামে গ্রামে গিয়ে দু:স্থদের সাহায্য করেছিল; অথচ দেখছি কুচবিহারে নন্দেশুর বর্দ্মন ও সুধীন গ্রেপ্তার হয়েছে এবং যার৷ রিলিফ করছিল এরকম ব্দনেকের নামে গ্রেপ্তারী পরোয়ানা হয়েছে। এই তাঁদের রিলিফের শ্রনা।

(At this stage red light was shown.)

on floods

মি: চেরারব্যান স্যার, আমি আর করেক মিনিট সমর নেৰ। ফুাড কণ্টোল সম্বন্ধে বলতে আমি কয়েক মিনিট সময় নেব। মাননীয় রিলিক মন্ত্রী মহাশয়ের ধারণা যে উত্তর বঙ্গে বন্যা নিরোধ কর। অসম্ভব। তাঁর রিপোর্ট পড়েই সেই কথাই মনে হয় যে এটা ষেন একটা ইনপসিবিলিটি দু:খের বিষয় যে কংগ্রেস রাজত্বের ৮ বৎসর পরেও গভর্ণমেণ্ট উত্তর বঙ্গের লোকের জীবন রক্ষা সম্বন্ধে দায়িত্ব গ্রহন করতে পারেন না। এটা একটা দু'টা নদীর ব্যাপার নয়, শত শত নদীর ব্যাপার। অসাধ্য ব্যাপার। তাঁরা এটা ভগবানের উপর সম্পূর্ণ ছেড়ে দিয়ে বসে আছেন ষে বন্যা নিরোধের ব্যাপক পরিকল্পনা চলেনা এই উত্তর বঙ্গে। এতে সরকারের অযোগ্যত। ও অকর্মন্যতাই প্রমান করে। এটা বিজ্ঞানের যুগ। আদিম যুগে, অজ্ঞানতার যুগে মানুষ অসহায় হয়ে বসে থাকত; কিন্ত আজ এই বিজ্ঞানের যুগেও, ''এটম বম''এর যুগেও আদিম যুগের অজ্ঞানতা নিয়ে, ভয় ভীতি নিয়ে বলে থাকবে যে এটা নিরোধ করা যাবে নাং এইত তাঁদের অবস্থা।

[11-30—11-35 a.m.]

এখন এই দুর্দেবের হাত খেকে কি কোরে রক্ষা পাওয়া যায়? আমাদের ধাবণা উত্তরবঙ্গের নদীকে অনায়াসে বশে আনা যায়। চীনে ''রিভাব ভেলী স্ক্রিম'' কোরে ৮০০ মাইল নদীকে বেঁধে তাকে বশে আনতে পেরেছে। তারা বন্যাকে কণ্ট্রোল ক'রেছে, এবং ইচছামত সেই জল প্রবাহিত করছে। আর এখানে আকাশ পথে উড়ে গিয়ে মাননীয় প্রফুল সেন মহাশয় খালি বজ্ত। দিলেন যে হাঁ, আমি অনেক কিছু করেছি, এবং আকাশ পথে উড়ে উড়ে সে দৃশ্য ভালই দেখতে পেয়েছি। সেই জন্য আমি সংক্ষেপে আপনার কাছে কয়েকটা দাবী রাখছি --আশাকরি এর ব্যবস্থা করবেন।

কেন্দ্রীয় সরকাবের কাছ খেকে আরও টাকা সাহায্যের জন্য নিতে হবে। রিলিফের **छ**न्। বেশরকারী প্রতিষ্ঠানের সহযোগিতা নিতে হবে। এই রিলিফের ব্যবস্থা করবার জন্য এই পরিষদেব প্রতিনিধিদের নিয়ে এবং সরকারের প্রতিনিধিদের নিয়ে একটা পরামর্শ কমিটি গঠন কবা হউক যাতে ৰন্য। স্থায়ীভাবে নিবোধ করা যেতে পারে। এই পরিষদের প্রতিনিধিদের সেখানে পাঠান উচিত এবং তাঁরা গিয়ে সেখানকার বন্যার ব্যাপকতা দেখে এসে সরকারকে রিলিফ সম্বন্ধে পরামর্শ দিতে পাববেন।

8jkta. Santi Das:

মাননীয় সভাপতিমহাশয়, উত্তরবঙ্গের কুচবিহারে এই বন্যার ধ্বংসলীলা আমি প্রত্যক্ষভাবে দেখে এসেছি। **আডকে এই বিতণ্ডা স**ভায় আমাদের বিরোধীপক্ষের সদস্যরা যে সমস্ত আলোচনা করলেন আমার মনে হয় উত্তরবঙ্গের ব্ন্যা অঞ্চলের ব্যাপার এখানে বাক্ বিতণ্ডা না করে সেখানে বেয়ে যদি তাঁরা নিজে দেখে এসে সরকারী ও বে-সরকারী প্রতিষ্ঠান কিভাবে কার্ম্ব করছে তারপর যদি তাঁরা এখানে এবে এই আলোচনায় অংশ গ্রহন করতেন তাহলে ভাল হ'ত। আমি কুচবিহারের গ্রামের ভিতর বুরে বুরে দেখে এসেছি। তাঁরা এখানে যে সমস্ত রিপোর্ট দিলেন তা অতিরিক্ত বলেই আমি মনে করি। আমার বিবোধী পক্ষের বন্ধুবর জনেকে বলেছেন যে পিপিল্স রিলিফ কমিটী সেখানে কাজ করছে এবং সরকার তাদের সঙ্গে সহযোগিতা করছে না। আমি একধার তীব্র প্রতিবাদ করছি। জামি যে চারদিন সেখানে দেখে এসেছি ভাতে পিপিলুস রিলিফ কমিটীব কোন লোক**কে সে**খানে দেখতে পাইনি। আমি সেখানে দেখতে পেয়েছি অনেক প্রতিষ্ঠান কাজ করছে এবং তারমধ্যে ফরওয়ার্ড ব্রক ও জন্যান্য রাজনৈতিক দলকে কাজ কনতে দেখেছি কিন্ত পিপিল্স বিলিফ কমিটীর কোন ওয়ারকারএর সঙ্গে আমাব কোন পরিচয় ঘটেনি। যখন মানুঘ মৃত্যুর मन्त्रूर्थ এमে माँ फिरग्रट् अवः यद्यनाग्र ছট্ कर् कत्रह् সেই সময় অতীতে কি হয়েছে সেটা আলোচনা না করে কি করে এই ক্রাইসিস অতিক্রম করতে পার। যায় সেইটেই আলোচনা কবলেই মনে হয় ভাল হ'ত। আজকে পূর্ব বাংলা থেকে যে **স**মপ্ত বাস্তহাবাবা এসেছে এবং আশুয়প্রাধী এসেছে তাদের চেয়ে কোন খংশে এই বন্যা পীড়িত লোকদের দুঃবদুর্দশা কম নয়। সব চেয়ে আনন্দের বিষয় আজকে এই সরকার ও কংগ্রেসের রিলিফ কমিটী তাদের যেভাবে শাহায্য কবছে, ভবিষ্যত জীবনে বাঁচবাব জন্য যে সুযোগ সুবিধা দিচেছ তাতে আমাদের প্রত্যেকেরই গর্ব অনুভব করা উচিত। এই বিপদের সময় তাঁদের আন্তরিকতা দেখে সত্যই ৰুসী হয়েছি। আমাদেব সরকার যে সত্যই জন সাধারণের প্রতিনিধি তা এখান থেকে নতুনভাবে উপলব্ধি করেছি। তাঁরা নিঞ্চেদের জীবন বিপনুকরে সাহসের সঙ্গে যেভাবে তাদের খাদ্য দিয়ে বস্ত্র দিয়ে সাহায্য করছে তাতে তাদের হৃদ্যতাই প্রমানিত হয়েছে। আর একটা কথা বলতে চাই এই সরকার তাদেরই নিজেদেব সরকার এবং তাদের অন্তরঙ্গ বন্ধু এটাই প্রমানিত হয়েছে। আপনারা কাগজে দেখেছেন যে ভারতের প্রধানমন্ত্রী ও আমাদের পশ্চিমবঞ্চের প্রধানমন্ত্রীকে কুচবিহারের জ্বনগণ কিভাবে তাঁদের ব্দভার্থনা করেছেন। এখানে একটি ছোট ঘটনা [Sjkta Santi Das.]

ৰলৰো। যথন পণ্ডিতজী বিনান ঘাটিতে পৌছালেন তথন তাঁকে জন্য জায়গায় নিয়ে যাওয়া হচিছল তথন তিনি বলেন,

"why should I go to the palace, I shall go to the mob."

এটাথেকেই বুঝতে পারেন যে জামাদের পুধানমন্ত্রী জনসাধারণের দংধ দুর্দণায় কতথানি কাতর হয়েছেন। জাজকে এই ধুংসলীলাকে রোধ করার জন্য সরকার যে চেষ্টা করছেন তাতে ভাবীকালে এই বন্যাপীড়িত জাফলে কল্যাণ দেখা দেখে।

[11-35—11-40 a.m.]

Dr. Monindra Mohan Chakrabarty:

माननीय व्यशक्तमहानय, मानुरपत पू:थ पूर्पना निरय যার৷ রাজনৈতিক বিতগু৷ সৃষ্টি করে আমি তার মধ্যে নেই। কিন্তু ধৰ্বন আমি দেখতে পাচিছ যে একটি রাজনৈতিক দল এখানে যাবা ক্ষমতায় অধিষ্ঠিত, মানুমের **ए: व पर्मना निराय निरक्ष**रपत पनीय भुष्ठांत कार्यात खना ব্যবহার করছেন তাতে সত্যই আমাদের দু:খ হয়। কিছক্ষণ আগে পূৰ্ববৃত্তি বক্তা শ্ৰীমতি শান্তি দাস তাঁর ভাষণে কেবল বলে গেলেন যে প্রধানমন্ত্রীরা কিভাবে বন্যাপীডিত অঞ্চলে গিযেছিলেন এবং তাঁদের জন-সাধারণ কিভাবে অভার্থনা করেছিল। কিন্তু আমি জানিনা আকাশে উড়ে গিয়ে কতক্ষন তাঁরা জন-সাধারণের দঃখ দর্শা। পর্য্যবেক্ষণ করবার সুযোগ পেয়েছিলেন। যখন আমর। জানি আসামের সমস্ত মন্ত্রীমগুলী এবং মুখ্যমন্ত্রী যেভাবে নিজেদের উপস্থিতি **पिरा वन्तात विकृत्य कार्या श्रीकानना करत्राह्म राश्रीत** আমাদেব প্রধানমন্ত্রী সময়েব অভাবে যেতে পারেন নি। যখন ভারতের প্রধানমন্ত্রীর আসার সময় হল তথন আমাদের পধানমন্ত্রীর উপস্থিতি দেখা গেল। যখন আমরা জানি উত্তর বাংলায় বহুদিন ধবে এই বন্যার ধংসলীলা বাব বার দেখা দিচেছ তখন এই অঞ্চলে বন্যা প্রতিরোধ করা অত্যন্ত প্রথোজন।

Sj. Debendra Chandra Dey: আপনি নিজে সেখানে গিয়েছিলেন নাকি?

Dr. Monindra Mohan Chakrabarty:

আপনিও ত সেখানে যাননি। আপনারা জানেন যে ভাবতের যে চা উৎপনু হয় এবং যা রপ্তানী হয় তার অধিকাংশই আসে এই অঞ্চল থেকে। এথেকে পশ্চিমবক্স সরকার চাবকোটি চাক। বাজস্ব আদায় করে।

যাই হ'ক, সবকারপক্ষ থেকে মাননীয় পুফুল সেন মহাশয় যা বলেছেন বে তাঁদের বিশেষ কোন ক্রাট হয়নি এবং তাঁরা যথেষ্ট ক্রছেন একথা এখন বিচার

করে দেখা উচিত। এখানে দেখা উচিত যে যদি তাঁরা আগে থেকে সতর্ক হতেন তাহনে আহার ৰনে হয় এই পুংসলীলা প্ৰতিরোধ করা কিছটা সম্ভব হ'ত। ১৯৫০ সালে ৰন্যা বিধ্বন্ধ ঐ অঞ্চলের জন্য বন্যা প্রতিরোধ করার বহু কথা বলা হয়েছে এবারও বহুদিন আগে থেকে সেখানে বন্যার আশংকা করা হয়েছিল। আমাদের বিধান সভার শ্রীযুক্ত সুরেন রায় মহাশয় জেলা বোর্ডের চেয়ারম্যান পূর্বেই বন্যা ষেসমন্ত অঞ্জলে হতে পারে সেই রকম জায়গা ডিষ্ট্রীক্ট বোর্ডের ইঞ্জিনিয়াব নিয়ে পরিদর্শন করেছিলেন, এবং সরকারের কাছে সুপারিশ করে-ছিলেন তাসত্বেও আমাদের সরকার এসম্পর্কে প্রয়োজনীয় ব্যবস্থা অবলম্বন করেন নাই। সব চেয়ে গোলমাল গেল তিন্তার ব্যাপারে,—যখন বর্নেশগঞ বোধহয় বন্যার আশক্ষা ছিল, তখনো বন্যার আক্রমন রক্ষার দায়িত কার তা রেলওয়ে দপ্তব ও পশ্চিম-বঙ্গের সেচদপ্তর অনেকদিন ধরে ঠিক কবতে পারেন নাই। ফলে, বন্যা যখন এসে গেল তখন তার। করলেন পশ্চিমবঙ্গের সেচদপ্তরকেই নিয়ন্ত্রণ করতে হবে। কিন্তু কোন কার্যকরী ব্যবস্থা তাদের ঘারা সম্ভব হলনা। এত গেল সময় মত সতর্ক হবার কথা।

[11-40—11-45 a.m.]

তাছাডা রিলিফ দেবার ব্যাপারে সরকারের বিরুদ্ধে य অভিযোগ কবা হয়েছে, সে সম্বন্ধেও তাবা বিশেষ কিছু সদুজর দিতে পারেন নি। তবে **ভনে স্থী** হলাম শ্রীযুক্তা শান্তি দাস একটা বে-সরকারী রিলিফ কমিটিব নাম করেছেন ফরোয়ার্ড বক। কিন্ত এখন সত্য, কংগ্রেস ও মাডোয়ারী সোসাইটার কথা বিধান সভায় যে ঘোষণা কবা হয়েছে, আবো বে-সর-কাবী প্রতিষ্ঠান সেখানে সাহায্য দানেব অবলম্বন কবেছেন। এবং সাহায্য করতে গিয়ে সাহায্য করতে বাধাপ্রাপ্ত হয়েছেন, সে সব কমিটিব ও সবকারের সহযোগীতা পাওয়া উচিত ছিল। সে সহযোগীতা তারা পান নি, তাদের সেই প্রচেষ্টাও সরকারের মেনে নেয়া উচিত ছিল। এবং আমর। আশা করি ভবিষ্যতে যাঁরা জাতীর এই সন্ধটে সাহায্য করতে যাবেন তাঁদের সাহায্য নেয়া হবে এবং সহ-যোগীতা দেয়া হবে। (এ ভয়েস: আরো আছে নাকি?) আছে, অনেক আছে : তবে বলবনা। বন্যা প্রতিরোধের ব্যাপারে আমাদের কি করণীয় আছে, সে সম্বন্ধে ব্যবস্থা করতে দেখা গেছে আমাদের পশ্চিমবন্ধ স্বকাব অনেক আছেন। শীগুজবারী নান দিলীতে বলেছেন যে আসাম এবং বেহার তাদের পরিকল্পনা পেশ করেছে, কেন্দ্রের কাছে, অনেক

আগ্রেই, কিন্তু পশ্চিমবঙ্গ নাকি পরিকলপনা পেশ করতে পারেনি। আশা করি শ্রীদেন এবং মুখ্য-র্ম্প্রিমহাশয় এশঘন্ধে তাঁদের বন্ধন্য বলবেন। বন্য। পতিরোধ ব্যাপারে বিশেষজ্ঞরা বোধ হয় একমত। বন্য। कि কারণে হচেছ ? বিভিনু পাহাড়ী নদী-গুলির যদি কোন রকমে গভীরতা বন্ধি করা যায়, এবং যদি এমন করা যায় যে নদীর দুধারই শক্ত হয় তাহলে জল এত চওড়া স্থান জুড়ে যেত না। অনেকে অনেক পরিকল্পনার কথা বলেছেন কিন্ত व्यामारमञ्जू क्यूम जाग्र देष्टीर्न (वन श्रदात मार्गिकात বলেছেন যদি কোন রকমে নদীর দুই পাণেব বাঁধ পাধর আর সিমেণ্ট দিয়ে শব্দ করে দেয়। হয় তাহলে জনরাশি এমনভাবে চারিধারে প্রাবিত করতে পাববেনা এবং কতক ভাল মরা খালের সঙ্গে যদি সংযুক্ত করে দেয়া যায় তাহলে বন্যার প্রবলতা অনেকটা দুর হতে পারে। তাছাড়া সেচ মন্ত্রীমহাশয়ের সঙ্গে যে পত্রালাপ হচেছ তার মধ্যেও অনেক ভাববার কথা আছে। শ্রীসেন যে বলেছেন বন্যা নিরোধেব সম্ভাবনা নাই ভগবানের দান ছাড়া সেটা ঠিক নয় (THE HON'BLE PRAFULLA CHANDRA

আমি তা বলিনি।) আমাদের চেটা থাকলে এবং সমস্ত জনমগুলীর চেটা থাকলে, নিশ্চম বন্য। প্রতিবোধ সম্ভব। তাই সরকাবী নীতিটা ঠিক নয় তাঁদের সেই নীতিটা সংশোধন করে বন্যার ব্যাপারে সকলকে এক যোগে কাজ করার অনুরোধ জানিয়ে আমার বন্ধন্য শেষ করলাম।

[11-45—11-50 a.m.]

Sjkta. Anila Debi:

মাননীয় সভাপতি মহাশয়. উত্তর**বঙ্গে**র वना জাতীয় সমস্যাৰূপে আজ আমাদের কাছে দেখা **पिरारक् । এवः आमारम्य माननीय नारायाम्बी वना।** मश्रक य विवतन পেশ करत्राष्ट्रन, रम मश्रक जारना--চনা পুসঙ্গে অনেকে অনেক মূল্যবান কথা বলেছেন। অনেক তিক্ত আলোচনাও হয়েছে। এবং আমার একটা বোনও বলেছেন অহেত্ক বাক্বিতগুর সৃষ্টি হয়েছে। যেখানে বন্যা জাতিয় সমস্যা হিসাবে মানুমের জীবন যাত্রার উপর বিপর্যয়ের অবস্থা সৃষ্টি করেছে সেখানে সত্য সত্যই বাকবিতণ্ডার প্রয়োজন নাই। এবং এও সত্য কথা, মাননীয় মন্ত্রীমহাশ্য य कार्याविवत्रणी वा ममन्त्र व्यवसात्र विवत्रणी, याद्र পেশ করে থাকুন না কেন, তাব মধ্যে বন্যা বিখুস্ত प्रकटलंद যে সমস্ত সমস্য। ব্যক্ত হয়েছে, মানবতার দিক থেকে **সেখানে সাহায্য করবার জন্য যা** যা করবার প্রয়োজন সেগুলি আলোচনা হওয়া উচিত बल पात्रि এशान डेर्फ माँडियाई।

वर्त्रात त्व विवत्रनी जामारमत माननीय माशायाः ষমী উপস্থিত করেছেন, বিবরণী হিসেবে তাতে তিনি ৰন্যার ভয়াবহতা দেখিয়েছেন। তিনি খাদ্যের অভাব ও ক্তিব উল্লেখ করেছেন এবং সরকারী সাহাব্যের কথা উল্লেখ করেছেন। পরিকার কথা হচেছ আমাদেব এইযে আমবা এখানে ৰূদে অত্যন্ত নিরাপদ অবস্থার মধ্যে আরামদায়ক অবস্থার মধ্যে আলাপ আলোচনা করছি—কডটুকু হয়েছে, কতটুকু হয় নাই কিন্ত শুধু এই টুকুতে হবেনা আমাদের আলোচনা করতে হবে যে যে বিপর্যায় ঘটে গেছে সে বিপর্য্য রোধ করবার জ্বন্য জান্ত কি কর্মপন্থ। আমরা গ্রহন করব এবং স্বারীভাবেই ৰা কি কৰ্ষপন্ধা গ্ৰহন করব। এটা ঠিক এই ব্ন্যা প্ৰাকৃতিক বিপৰ্য্যয়। কিন্তু প্ৰকৃতি আজ জার মানুঘেব পক্ষে অপরাজেয় নয়, এই বিংশ শতাবদীর শেষ দিকে দাঁড়িয়ে মানুষ ক্ষমতাব দিক দিয়ে অস্ত ত: এই কথাই বলতে চায়। আদিম যুগ খেকেই মানুঘ পুক্তিকে জয় কবে করে এসেছে ক্রমোনুতির দিকে। যে শক্তির বলে গে এটা করতে পেরেছে পে শক্তি হচেছ বিজ্ঞানের শক্তি। সূতরা: পুকৃতিকে জয় কবার শক্তি মানুঘের আছে। যদি বিজ্ঞান-সন্মতভাবে পরিকল্পনা গ্রহন করেন; হিধা বা সঙ্কোচ না বেখে মানবেব কল্যাণ কাঞে জাতীয় সরকার অর্থ ব্যয় কববার জন্য প্রস্তুত হন, তাহলে আমার মনে হয় এই বিপর্যায়ে সাহায্য আমরা দিতে পারি, আশু ও স্থাযীভাবে পবিকল্পনা গ্রহন করে প্রতিকার কবতে হবে; ধংসলীলা থামিয়ে দিতে হবে আনাদের এবং সে ক্ষমতা আমাদেব হাতে আছে। গুণু দেগতে হবে সেই ক্ষমতা আমবা কাজে লাগাতে কত্থানি চাই। কতথানি এগিয়ে গেছি সেই ক্ষমতা কাঞ্চে লাগাবার জন্য বাস্তব পরিকল্পনা কনছি।

এখানে দুঃখেব সঙ্গে স্বীকার করতে হয়
আমাদের সাহায্যমন্ত্রীর বিবরণীর বিবরণ নৈরাণা—
জনক। শুধু নৈরাণাজনকই নয, আত্যু পুশংসা
ও আত্যুসম্ভষ্টিতে পূর্ণ। সে বিপোর্টে যা পুকাশিত
হয়েছে তাতে উল্লিখিত হয়েছে যে কৃড়ি কোটি টাকার
সম্পত্তি নষ্ট হয়েছে। সম্প্রতি খববেব কাগজে
যা বেবিয়েছে, তিনিও হয়ত তা অস্বীকার কবেননা,
—্যে দশ লক্ষ লোকেব জীবন বিপাণু হয়েছে।
সেখানে তাঁরা কি সাহায্য দিয়েছেন তিনি একটা
হিসাবেব মারকং নির্দেশ কবেছেন ৪৮ লক্ষ কিছা
তার কিছু বেশী টাকা দেয়া হয়েছে। এই টাকা
মাত্র দিয়েই তিনি কতিপুবণেব জনা য়েধই সাহায্য
করা হয়েছে যখন বনেন, তখন সে কথা
হাসাক্রই মাত্র নম, পাগলের পুলাপ বলেও মনে হয়।
মনে হয়, সম্পূর্ণ আত্যুসম্ভষ্টী হারা তিনি ''এই করেছি

[Sjkta. Anila Debi.] ঐ করেছি" বলে যে বিবৃতি দান করেছেন, তা আত্য-পুশংসার মনোভাবেরই পরিচায়ক। যাঁরা এখানে ররেছেন জনসাধারণের প্রতিনিধি হিসাবে, তাঁর। কি শুধু পরিষদকে অলম্বৃত করে থাকবেন নিশ্চিয় ভূমিকা নিমে? প্রত্যেকের সেখানে অংশ নেওয়া উচিত এবং যাঁবা জনসাধারণের প্রতিনিধি তাঁদের মতামত নিয়ে কি করে এই বন্যা-বিধৃন্ত অঞ্চলে সাহায্যের জন্য আশু কি করা উচিত এবং স্থায়ীভাবে ৰন্যা থাতে প্ৰতিরোধ করা যায় বিজ্ঞান-সন্মত সেই ব্যবস্থা করার বিশেষ <u> পুয়োজন</u> আছে। সরকারের দিক থেকে সাহায্যের কথা বলা হলে তাঁরা बरनन य उँवा यर्षष्टे कत्रष्ट्न। ठाँवा यर्षष्टे नाराया क्रब्राष्ट्रन किना मिहा मिथारन ना शिराय वना यात्र। তাঁদের বিবরণী পড়ে যেকোন চিন্তাশীল মানুঘই ৰলতে পাবেন যে তাঁরা যে সাহায্য কবছেন তা शुरबाक्टनब जुलनाय नगनारे।

[11-50—11-55 a.m.]

দিতীয় কথা হচেছ জনসাধারণ সাহায্যকাঞ্জে সহযোগিতা করতে চায়। প্রমান হিসাবে সে সম্বন্ধেই আমি একটা কথা বলতে চাই। আমাদেব শিক্ষক সমিতি থেকে উত্তর বাংলায় বন্যা বিধুস্ত অঞ্চলে সাহায্য করবার জন্য মুখ্যমন্ত্রীর কাছে একটা চিঠি লিখে পাঠিয়েছিলেন। তাতে সমিতির পক্ষ থেকে আবেদন ছিল যে সরকারেব তবফ থেকে একটা কোডিনেসন রিলিফ কমিটী গঠন কবা হ'ক এবং তার মাধ্যমে জনসেবাব জন্য যেসমস্ত রাজ-নৈতিক দল এগিয়ে গিয়েছেন, তাঁদেব শুৰ্চুভাবে পরিচালনা করা হ'ক। সেই চিঠি আমবা জানিনা মুখ্য মন্ত্রীমহাশয় পেয়েছিলেন কিনা, কিন্তু তাঁব সেক্রেটারির দপ্তর থেকে যে উত্তর দেওয়া হয়েছে তাতে তাঁরা বলেছেন যে আমরা যথেষ্ট করছি এখন ঐরকম কোন কমিটী কববার প্রয়োজন নেই। ১০ই আগষ্ট তাবিখের রিপোর্ট প্রকাশিত হনার আগে জনসাধারণের পক্ষ থেকে শিক্ষক সমাজ সাহায্য করবার জন্য হাত বাড়িয়ে দিয়েছিলেন এবং তাঁর। বলেছিলেন যে এত বড় সমস্যা সমাধান করবার ক্ষমতা একা সরকারের নেই কিন্ত সে সহযোগিতার আবেদন সরকার পক্ষ থেকে প্রতাখ্যান করা হয়। সরকারের একার পক্ষে এই বিপর্যয়ের সুষ্ঠু সমাধান করা সম্ভব নয় কারণ এ সমস্যা একটা আদর্শগত সমাধানের উপর নির্ভর করে। দেখা যাচেছ তাঁরা ভগবানের উপর বেশী নির্ভর করে বঙ্গে থাকতে আজকে উত্তরবঙ্গে এমন বিপর্যয় দেখ। দিয়েছে যে তার ফলে সেখানকার ভৌগলিক রূপ পূর্যন্ত পরিবর্ত্তিত হয়ে **বাবা**র সম্ভাবনা। যদি তাই

ঘটে তবে সেই নৰ্থ বেঙ্গলএ ভৌগলিক পরিবতিত চেহারার ভয়াবহ প্রভাব সমস্ত বাংলার উপর এসে পড়বে। এই বিপদের স্থায়ী প্রতিকার করতে হলে আনাদের বিজ্ঞান-সন্মত উপায়ে পরিকল্পনা গ্রহন করতে হবে। যেমন করেই হ'ক এই বিপর্যয়কে রোখবার **জ**ন্য চেষ্টা করতে হবে। অর্থাভাব যেন কোন বাধার সৃষ্টি না করতে পারে। এখানে টাকা লাগে তা দিতে হবে। প্রয়োজন, সমগ্রভাবে দেশকে, জাতিকে, মানুমকে রক্ষা করবার জ্বন্য যা প্রয়োজন তা আমাদের দিতে হবে। সেখানে আমার মনে হয় সাধাবণ মানুদ পূর্ণ সহযোগিত। করবার জন্য এগিয়ে আসবে। সরকার যদি কোন রকম রাজনৈতিক উদ্দেশ্য সফল করবার জন্য এবং দলীয় মতবাদকে বড় করে রাখবার জন্য মনোভাবের পরিচয় না দিয়ে মানব কল্যানের সত্যিকার চেটা করেন, তাহলে সাধারণ মানুঘ তার সর্বস্থ দিয়ে এগিয়ে ভাসবে। মানবতাবোধের দিক থেকে

on floods

আমর। এইটুকু আশা করি যে সমন্ত রাজনৈতিক
মতাসত দূবে রেখে, দলীয় মতভেদ দূবে বেখে,
মাঁরা জনসাধাবণের প্রতিনিধি তাঁদের নিয়ে একটা
পরিকলপনা গ্রহন করা হবে। সরকার পক্ষ থেকে।
মাতে সুষ্ঠুভাবে সেই সমন্ত সাহায়েয়ব কাজ এগিয়ে
যেতে পাবে তারজন্য চিন্তা করতে আমি অনুরোধ
করছি। আমাদেব সমাজেব প্রত্যেকেরই এতে
জংশ গ্রহন করবার দরকাব আছে। মাঁরা মেডিক্যাল

বিলিফ দিতে পারেন তারা স্বাস্থ্যের দিকে লক্ষ রাখতে পাবেন, আবার কেউ কেউ আছেন যাঁরা সংস্কৃতিকে বাঁচিয়ে রাখতে পারেন এবং অনেকে পুনর্বাসনের সাহায্যে করতে পারেন এইভাবে ভাগ করে প্রত্যেক প্রতিষ্ঠান বা ব্যক্তিকে কাব্বে লাগাতে পারেন। সবকার একটা কেন্দ্রীয় উপদেষ্টা কমিটি

গঠন করে আজকে এই জাতীয় সংকটকে রোধ

কববার চেটা করুণ এইটুকুই আমি অনুরোধ করবো।

Sj. Satya Priya Roy:

মাননীয গভাপতি মহাশম, আমাদের সামনে যে

জাতীয় বিপর্যায় দেখা দিয়েছে ভাতে জাতির অংশ

হিসাবে আমাদেরও কিছু কর্ডব্য আছে সেইটা
আনোচনা করবার জন্যই আজকে এই বিভর্কের
ব্যবস্থা করা হয়েছে। বিশেষকরে এটা রাজনৈতিক
পুশু হয়েছে এবং সরকারপক্ষ থেকে সাহায্য
করবার সম্পূর্ণ অধিকার তাঁরা নিজের হাতে রেবে

দিচেছন। সাধারণ মানুষের মনে এই পুশু জেগেছে
যে সরকারেরপক্ষ থেকে রাজনৈতিক মতবাদের
পুচারের জন্য এই বিপ্র্যায়ের সুযোগ নেওয়া হচেছ।
এই সম্পর্কে কোন সন্দেহ নেই। আমি শিক্ষকদের
পুতিনিধি হিসাবে বলছি বে আজকে সমস্ত শিক্ষক

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সমাজই স্বাভাবিকভাবে এই বিপর্যয়কে রোধ করবার জুন্য ৰাগ্ৰ হয়ে উঠেছে। অবশ্য আমাদের সমিতি আগেই তাদের সাধ্য অনুযায়ী রিলিফ কমিটী গঠন করেছে এবং কুচবিহার ও জ্বলপাইগুড়িতে যখাসম্ভব তাঁরা সাহায্য কবছেন। সরকার এই গুরুদ্ধ সম্পর্কে সুরুতে সচেতন ছিলেন না। যখন প্রথমবারের বন্যায় যতটুকু ক্ষতি হয়েছিল তাকে বিশেষণ করে ভবিষ্যতে আরো ক্ষতি হতে পারে তার জন্য কোনরকম সচেতন ছিলেন না। যখন আসাম সবকাৰ তাদের বন্যা ব্যাপাবে কেন্দ্রীয় সরকারের সঙ্গে বার বার আলোচনা চালাচিছলেন তখন পশ্চিমবঞ্চ সরকার তাদের বন্যা সম্পর্কে কোন রকম গুরুত আরোপ করেন নি এবং কেন্দ্রীয় সরকাবকে কিছুই জানান হরনি।

[11-55—12 noon.]

তাবপৰ যথন আগষ্ট মাসে আবার বন্যার চেউ আসলো

যখন জনসাধাবণ এই সম্পর্কে বাব বার সবকাবকে

সচেতন হবার জন্য দাবী জানালো এবং ব্যক্তিগতভাবে

শিক্ষক সমিতি থেকে মুখ্যমন্ত্রীমহাশয়কে যে চিঠি

লিখেছিলাম তাতে ছিল দেশের সামনে যে বিপয়্যয়

দেখা দিয়েছে এবং জাতির সামনে যে সক্ষট দেখা

দিয়েছে, সেই সমস্যা সমাধান কবতে হলে এই

বিধান সভাব ও বিধান পবিঘদের সমস্ত দলেব
প্রতিনিধিদের নিয়ে একটা

Central Co-ordination Relief Committee

গঠন করে সাহায্য করবার জন্য এগিযে যাওয়াব দাবী, তার উত্তবে পবিজাব বুঝতে পাবলাম যে তাঁবা য। করছেন তাই যথেষ্ট এবং বিভিনু বিলিফ কমিনিও কিছু কিছু কাজ কবছে অতএব এই বকম

Central Co-ordination Relief Committee

পুরোজন নেই। অথচ আজকে কেন্দ্রীয় সনকাব বুঝতে পেরেছেন এবং আমাদের পূধানমন্ত্রী মহাশয়, শ্রীজহরলাল নেহেরু বলেছেন যে এই সমস্যা সমাধান করতে হলে একক সবকাবেব পক্ষে সম্ভব নয়। তাই তিনি সমস্ত দলের পুতিনিধিদেব এতে অংশ প্রহণ করবার জন্য আহ্বান জানিয়েছেন, এবং তিনি বলেছেন যে এই বিপর্যায়কে রোধ কবতে হলে সমস্ত দলের সহযোগিতা বিশেঘভাবে পুরোজন। সেইজন্য আমি আমাদের মুখ্যমন্ত্রীমহাশয়ের কাছে দাবী করবো বিধান সভা ও বিধান পরিঘদেব সমস্ত দলের প্রতিনিধিদের নিয়ে একটা

Central Co-ordination Relief Committee

গঠন করা হ'ক, তাহলেই সত্যিকারের আজকে এই জাতীয় বিপর্যায়কে রোধ করা সম্ভব হবে।

আমাদের এই রিপোর্ট সম্পর্কে বন্ধব্য হচেছ যে এখানে ক্ষতির পরিমাণের কথা বলা হয়েছে এবং এখানে গভর্ণমেণ্ট কতটা সাহায্য করছেন তাও বলা হয়েছে। কিন্তু এর পর গভর্ণমেণ্ট কি পরি-কলপনা গ্রহণ করতে যাচেত্রন সে সম্পর্কে এই রিপোর্টে কিছু বি**শেঘ** এই নাই। **এ**মনকি যে স্মহায্য তাঁরা করবেন বোলে প্রতিশূর্ণতি দিয়েছেন তার কড়টা সাহায্য জ্বনসাধারণের মধ্যে গিয়ে পৌচ্ছছে সে সম্পর্কে বিশেষ পরিষ্কার কোন বিবৃতি আমাদের সাহায্যমন্ত্রী যে বিবরণ এই সভাব সামনে উপস্থাপিত করেছেন তার মধ্যে নাই। তার পরে সবকারের কি পরিকল্পনা আছে স্বল্প মেয়াদী এবং মেয়াদী তাও জানতে পারছি না। এই বন্যা চলে যাবে, কিন্তু তার পিছনে রেখে যাবে অনেক সমস্যা। ইতিমধ্যেই জানা গেছে যে বহু কৃষিক্ষেত্ৰ বালি ও প্রস্তর ইত্যাদিতে ঢেকে গেছে: বহ বীজ নষ্ট হয়েছে, যার ফলে ভবিষ্যতে চাঘ করা গণ্ডব হবে না। ঐসব ছাঙা বিশেষ কোরে শিক্ষক হিসাবে আমাদের শিক্ষক সমাজের উপর যে আঘাত এসে পডেছে रमित्क मृष्टि मिट्ड माद्यायामश्चीमदानाम ममग्र श्रीन नि। त्य इक्क विकिन् विमानस्यव प्यत्नक वाङ्गी स्वःग হয়েছে, ছাত্রেরা বহুদিন সে বিদ্যালয়ে যোগদান কবতে পাবছে না, এবং বিদ্যালয়ের ছাত্রদের বেডন जामाग्र इ'रा श्रीवराङ्गा (वार्ल विम्रानग्राधनि वक्त इरग्र যাচেছ উত্তর বঙ্গে। আমি নিখিল বঙ্গ শিক্ষক সমিতির-পক্ষ থেকে সরকারের কাছে আবেদন জানিয়েছিলাম र्य विमानयश्चित्क वाँिहर्य वार्थन, किन्नु माहाया-মন্ত্রীর যে বিববণ তাতে কোন-বিদ্যালয়কে সরকারী কোনরকম সাহায্য কবা হযেছে বোলে উল্লেখ নাই। এক প্রসাও কোন বিদ্যাল্যকে সাহায্য করা হ্যনি। [12-12-5 p.m.]

এসব বিঘয়ে আমাব বক্তব্য যে মানুঘের বাঁচার দিক থেকে তাব খাওযাব ও পবার যেমন প্রয়োজন, তাব শিক্ষার প্রয়োজনীয়তাও তেমনি বেশী। দু:খের বিষয় আমাদেব পশ্চিমবাংলা সবকার একথা সম্পর্কে সম্যক অবহিত নন। জাতীয় জীবনে শিক্ষার প্রয়োজনীয়তা যে কতটা তা সরকার বঝতে পারেন না এই ব্যাপার থেকে এটা পনিষ্কার পমাণিত হচেছ। আমাদের সাহায্যমন্ত্রীমহাশয় সাহায্যেব যে বিবরণ দিয়েছেন তার মধ্যে উল্লেখ নাই যে কোনরকম বিদ্যালয়কে, বা কোন বিদ্যার্থীকে বা কোন শিক্ষককে এক পয়সাও সাহায্য করা হয়েছে। অখচ এসম্প**র্কে** সরকারের দষ্টি আকর্ষ্ণ করা হয়েছিল। আমর। পত্রিকা মার্কৎ সরকারকে জানিয়ে দিয়েছি निष्णानग्रथनि विशन. এবং ঐ বিদ্যালয়গুলিকে সাহায্য করবার জন্য সরকারের অবিলম্বে এগিয়ে षाना भरशक्ता । এ मन्नर्स्क महकारहरू

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[Sj. Satya Priya Roy.]

কোন উত্তব পাইনি, এমন কি যে তালিকা এখানে দেওয়া হয়েছে তাতেও পরিকার বোঝা যায় না। শিক্ষক সমাজেব পক্ষ থেকে যে আবেদন জানিয়েছিলাম সে আবেদন ভাতীয় সরকারেব কাছ থেকে সম্পর্ণ ৰাৰ্থ হয়ে ফিঁরে এসেছে। এবং এই সরকান উত্তব-ৰঙ্গের শিক্ষক ও শিক্ষাব্যবস্থাকে বাঁচিয়ে রাধার প্রচেষ্টামাত্রও করেন নি। বন্যা থেকে বাঁচনার পবে বহু সমস্য। আসবে, এবং জাতিকে পুনর্গ ঠিত কবনার কাজে শিক্ষা বিশিষ্ঠ স্থান অধিকার করবে। কিন্তু সেদিকে সরকাবের লক্ষ্য নাই দেখে তারা তীব্র বেদনা অনুভব করছে। তারা সবকারের কাচে এখনও আবেদন জানাচেছ, এখনও সময় আছে, **जनाशांत्र मत्व यावांत्र जात्यां, এवः विमार्गीत्मत्र** পক্ষে অভাব হেতু সমস্ত প্রচেষ্টা নষ্ট হওয়ার আগে এখনও যেন বিদ্যালয়গুলির দিকে তাকিয়ে দেখেন এবং সেওলিকে যথেষ্ট সাহায্য দিয়ে বাঁচিযে রাধার (इहा करदन।

তাছাঙ। সাহায্যের পবিমাণ দেওয়া নাই। সাহায্য বিভাগের যে ৪৮ লক্ষ টাকা সেও ঠিক পৌঁছায় নি। আর সরকারেব পুতিশ্রুতি ৪০ লক্ষ টাকায় কিছুই হ'তে পাবে না। যেখানে ২০ কোটি টাকার মত ক্ষতি হয়েছে, আর সেই ক্ষতির পরিমাণ এখনও সকলে বুঝতে পারেনি সেই ক্ষতির জন্য বাড়তি অর্থ কোথা থেকে আসরে? কি কোবে দীর্ঘমেয়াদী ও স্বল্প মেয়াদী পরিকল্পনা গ্রহণ করা যাবে, কি কোবে প্রতিদিনকার জীবন্যাপনেব সমস্যা সমাধান করবে ? যে সমন্ধে বিবেচনা করবার জন্য অবিলম্বে বিধানসভা ও বিধান পরিষদেব বিভিন্ন দলেব সভ্যদের নিয়ে একটা সিদ্ধান্ত গ্রহণ করুন এবং কেন্দ্রীয় সরকারের পুধানমন্ত্রী মহাশয় যে আদর্শ স্থাপন করেছেন তিনি লোক সভায় সমস্ত দলের সভ্যদেব সেখানে নিয়ে গিযেছিলেন—সেই রকম কিছ ব্যবস্থা করুন। কিন্তু দু:খের বিষয় ও আমাদের লক্ষজার কথা যে আমাদের সাহায্যমন্ত্রী বা আমাদেব মুখ্যমন্ত্রী এ ধরণের কোন অভিযান সেই খন্যা বিধৃন্ত অঞ্চলে নিয়ে যাবাব কোন পরিকলপনা গ্রহণ করতে পাবেন নি। এখনও জনসাধারণের পক্ষ থেকে সবকারের এবং কংগ্ৰেস দলের কাছে এই আবেদন জানাই মানবতাব দিক থেকে যে যানুষ যেখানে বিপনু সেখানে রাজনীতি বেন বড় না হয়; মানুষ বেখানে বিপনু এবং জনসাধারণ যেখানে সাহায্য করতে চার সেখানে বেন জনসাধারণের সাহায্য গ্রহণের ইচছাকে সাদরে জানান ছয়, এবং বিপনু ব্যাক্তিদের

সাহাব্য হার। অবিলম্বে কিছু উপকার সাধন কর। হয়। সেই দিক থেকে সরকাবের কাচে আবেদন জানিয়ে আমি আমার বক্তব্য শেঘ করছি।

[12-5—12-10 p.m.]

Sj. Sachindra Nath Misra:

সাননীয় পরিষৎ পাল মহাশয়, আমি বন্যা-বিপুস্ত অঞ্চলেব লোক, সুতবাং বন্যাসম্পর্কে আমি দুই একটি কথা বলা পুরোজন মনে কবি।

এই যে বন্যা একে পুকৃতিব তাওপনীলা বললেও কোন তুল বলা হবে না। আমি মানদহ জেলার উত্তবাংশের একটি খানার কথাই বলছি। বহুদিন খেকে হবিচন্দ্রপুরের ঐ অঞ্চলের লোকেবা বন্যার কথা তুলে গিয়েছিল। বর্ষার সময় খাল বিলে কিছু জল হ'ত, কিন্তু এভাবের বন্যা হ'ত না; সেজন্য সেধানকার অধিবাসীরা সেই খালে বিলে চাখ-আবাদের কার্য্য কবত, এবং তার ফলে সেই অঞ্চলের লোকেবা নৌকা চলাচলের কথা তুলে গিয়েছিল। নৌকা তাদের নাই এবং মাঝিও নাই। তাদের আত্যুরকার উপায়ও কিছু নাই। বন্যা থেকে যে আত্যুরকার করতে ইবে এ চিন্তা তাবা কোন দিন করেনি। কিন্তু এবার কি দেপা গেল। ২০ বংসর পূর্বে যে বন্যা হ'ত ততোধিক বন্যা হঠাৎ একেবারে সেই অঞ্চলকে গ্রাস কোবে কেললে।

সাহায্য সম্বন্ধে এখানে অনেক আলোচনা কর। হয়েছে। বেসরকাবী প্রতিষ্ঠান বা সবকারী প্রতি-ष्ठीरनत कथा निराय এখানে অনেক আলোচনা হ'ল। যাঁবা সাহায্য কৰতে চেয়েছেন, **যাঁদে**ৰ পাণ এই দুঃস্থদের দবদে কেঁদে উঠেছে, তাঁরা মাননীয় মন্ত্রীর কাছে অনুমতিৰ দৰকাৰ অনুভৰ কবেন নি, বা ষ্টালিনএব আশীর্বাদ প্রার্থনা করেন নি (ডা: মনিক্র চক্রবর্তী: কার আশীর্বাদ ?) কারও আশীর্বাদ চান নি। তাঁরা সংবাদপত্রে পড়েছেন এবং সরকারের সাহায্যেই হউক বা সাহায্যেই হউক তাঁরা চেষ্টা করেছেন। নৌকায় চডে সেখানে গেলাম, গিয়ে দেখি সেই অঞ্চলের অধিবাসীরা একটা উচু জায়গায় এসে আতারক্ষা কবে আছে। যখন আমরা তাদেব উদ্ধারের জন্য গিয়েছিলাম তখন তারা বললো আমাদের বাডীতে যে খাদ্যগুলি আছে তা কোন উপায়ে আমাদের সংগ্ৰহ কৰে দেন। একজন বললো আমার বাডীতে ৫ বস্তা গম আছে, আমরা সেখানে নৌকা করে গেলাম এবং গিয়ে দেখি সেই ঘরে মটকার উপর জল উঠেছে—যাই হউক সেই ফাল সংগ্ৰহ করে আৰব। নৌকায় ফিরে এলাম। এইভাবে বহু লোককে আমরা সাহায্য করেছি। এছাড়া সরকার সাহায্য দিচেছন

Test relief, agricultural loan, Dry Doll. Dry Doll

মাথা পিছু সপ্তাহে দুইসের চাল ও দুই আনা প্রসা দেওয়া হচেছ। আব একটা কথা ফানিয়ে আদমি আমাব বক্তব্য শেষ করবো। আমাদের ওপানে যে টেষ্ট বিলিফ-এর কাজ হচেছ সেখানে কেবল পূর্ণবয়স্ক লোকের। বহু কাজ করছে। যার বাড়ীতে একটা মেযে ও ৪া৫ জন শিশু আছে তাদেব টেষ্ট বিলিফএব কাজ দেওয়া হচেছ না। আমাব মতে তাদের কাজ দেওয়া উচিত। পূর্ণ বযস্ক লোকেবা যে কাজ করছে শিশুদের তাব ই কাজ দেওয়া উচিত এতে

তাদের অনেক সাহায্য করা হবে। এই কথা বলে আমি আমার বক্তব্য শেষ করছি।

[12-10-12-15 p.m.]

Si. Nirmal Chandra Bhattacharyya: Mr. Chairman, Sir, it is regrettable that my friends on the other side of the House have converted this question into a party question. A suggestion has been thrown out by my triend Sj. Sen that a joint committee of the two Houses might visit the affected areas and see how relief work is given effect to. We do not say that nothing is being done but you have admitted that it is not possible to give adequate relief to all people. The implication of the report is that in many areas relief is not reaching at all. Sir, deprecate any political frenzy this question. Our approach in this matter is constructive. We want to co-operate with the Government in order that relief may reach every quarter—every individual who is suffering from this great disaster.

I would like to place before this Council the reports that I have heard. In the first place, I have heard that the relief that is being given to the people is extremely madequate. That appears to me to be true in view of what Mr. Misra has told us just now. The relief is inadequate. It is for the Government to consider if they will be able in the near future—I should say immediately—to increase the quantity of relief that is being

given to the affected people. In the second place, we have heard a very undesirable report that the sufferings of the people are being capitalised by a particular political party, namely, the Congress. That is very unfortunate. It it is true, it is for the Government to institute an impartial enquiry into the matter. It is being said that relief is being given through local grandees and those who are the supporters of Congress are alone receiving the relief. Is it true? If it is true, nothing can be worse than this. It is really unfortunate that sufferings of the people should be capitalised in this manner in the interest of the coming election. I would like, Sir, a straight answer to this question from the Chief Minister and I will request the Chief Minister to look into the whole question. Sir, the Chief Minister is not the Chief Minister of the Congress Party alone but he is in a way the leader of the people of Bengal and as such I demand that he institutes an enquiry into the question and gives us a definite statement on this matter in the near future. Sir. the third question that disturbs me is that Government is unwilling to receive the proferred aid of some relief organizations. It is necessary that the Government should invite the co-operation of other relief organizations working in the locality. Let them work under Government supervision but let all the organizations be co-ordinated into a kind of joint committee. Sir, the disaster that has overtaken the people of North Bengal is of proportions. It is not possible for the Government alone to deal with it. Non-official assistance is necessary. Let not non-official assistance be confined to one party alone. Let all the relief organizations be co-ordinated in the matter of doing service to the affected people.

[12-15-12-20 p.m.]

Sir, I will next come to the report itself. There are some very undesirable features of the report. But I regret very much that some men of science who are associated

[Sj. Nirmal Chandra Bhatta-charyya.]

with the report have sent out a note of helplessness in the report. (Dr. MONINDRA MOHAN CHAKRABARTY: That note came from the Relief Minister.) That'is not at all an encouraging feature. Whoever may be the source of this note of despair, be it the Relief Minister, be it the Chief Engineer, or the Secretary of the Department concerned. it is extremely fortunate. On an occasion like this it is necessary that we should keep up the morale of the people, we should keep up the morale of the members of the Legislature. Sir, the story of human civilization is really a story of the successful fight of man with the forces of nature. The report, however, describes the man in West Bengal as a hopeless creature in the presence of the forces of nature. Sir, this kind of obscurantism in Government service is extremely discouraging. There are Congressmen who have said that it is an act of God. Nothing is more undesirable than this. It means that we are actually helpless. Some described it as an act of God, some described it as an act of nature, and some have said that it is almost an impossible proposition to deal with. This attitude of defeatism in a Government in 1954 undesirable. This is extremely spirit, Sir, with which you approach a question matters very vitally. The spirit with which you approach the question is a spirit of defeatism. Sir, if the lead of the Relief Minister is to be followed then West Bengal will no doubt have to revert to barbarism.

[12-20—12-25 p.m.]

Sir, this hopeless surrender to nature is a policy of despair which we must abandon.

Now, Sir, coming to the preventive measures, I have to make just a few observations. It is very sad, Sir, that we have had two floods before—one in 1950 and the other in 1952. I would like to know what the department did in the matter. What was Mr. Ajoy

Mukherjee doing in the matter? What was the Chief Minister doing in the matter? What steps have been taken in the matter? Sir, it appears from the report that they depended hopelessly upon the vagaries of nature, that was all. Sir, that is the kind of people who are in charge of Five-Year Plan, who are in charge of reconstructing our life with a view to the establishment of a better social and political order in our Province

on floods

Coming to the details of the preventive measures, I notice that it has been suggested that it is desirable to treat the problem in an all-round manner. measures should be afforestation and soil conservation in the catchment areas, construction of flood dams and reservoirs in the main rivers as well as on some of the principal tributaries. I would have been happy to notice this waking up two years earlier, say in 1952. Sir, regarding the proposal for the construction of dams and reservoirs I have consulted some experts. One of them has already been referred to by my friend Mr. Monindra Chakrabarty, Mr. K. B. Roy, who was the Deputy Chief Engineer of the Assam Bengal Railway as it was then called and he was also the Deputy Chief Engineer who constructed the Sarah Bridge. He is of the opinion that embankments, such as the embankments constructed by the side of Dibrugarh are of no use at all, because the embankments give way, and dams and reservoirs, Mr. Roy says, are very expensive propositions and we have no money for them. So, what we have got to fall back upon is channel improvement. How this can be done? The channel water that comes down from the hills may be carried to the sea. This is channel improvement. This scheme was found to be very successful so far as the Sarah Bridge was concerned—by construction of guide banks and permeable screens. hope the Chief Engineer of the Irrigation Department has heard about this. After this performance I do not have much confidence in

his ability. I may say that the scheme that Mr. Roy has been advocating has the support of American Engineers for whom our Ministry have very great respect. I do not say that the Irrigation Department are absolutely thoughtless. They may have been very successful with some other important work. I am a layman to criticise the Government work, but I think the Irrigation Department should go into the entire question. Sometime ago, Mr. K. B. Roy saw the Chief Minister and the Chief Minister had the quickness to understand the significance of scheme. He wanted to consult the Chief Engineer of the Irrigation and Waterworks but the Chief not be found. Engineer could When Mr. K. B. Roy again went to interview our Chief Minister he was asked to interview the Chief Engineer. For the last three months Mr. K. B. Roy has been trying to contact this Chief Engineer of the Irrigation Department but the Chief Engineer has not been able to give Mr. Roy any time as yet. This is a very unfortunate situation. I do not know what this gentleman is doing. Sir, I am not in the habit to refer to permanent officials but when we see that a particular permanent official is responsible to a very large extent for the miseries of millions we cannot but refer to him.

[12-25—12-30 p.m.]

Sir, I do not have much more to say. Before I resume my seat I will request the Minister himself, Shri Prafulla Chandra Sen, and particularly the Chief Minister, to consider very seriously the proposal that has been put forward by my friend Mr. Sen that we appoint a committee, the Government appoint a committee of the two Houses to visit the affected areas and to see to it that relief reaches every individual affected by the flood. It is also necessary, I would repeat, that the assistance of all the different relief organisations should be sought. That is all that I have to say. I hope, Sir, we will get a straight answer to the points that we have raised from this side of the House. I hope the Ministry will not regard this as a party question but will regard it as a national proposition. Thank you, Sir.

The Hon'ble Prafulla Chandra Sen: Mr. Chairman, Sir, my friend Shri Deben Sen wanted to capitalise the disaster that overtook certain districts of North Bengal. Sir, he wanted to make a very vehement speech but he utterly failed in that attempt. Sir, my friend Shri Sen said that the statement that I issued was disappointing and faulty and it contained no ray of hope. I gave a factual statement—the long statement is full of facts and figures, not unreal but real facts and figures. I have mentioned certainly that the flood had overwhelmed us all and, as a layman, I said it seemed that the task before us all was a near impossible one. I did not mean, Sir, that there was no hope for us. Immediately after that statement I have said that the Irrigation Department has Investigation Division on which we have got representatives from the Forests and Fisheries Department, from the Works and Buildings Department, from Geological Survey of India, the Sikkim Darbar, from Bhutan, from the District Boards and from Tea Associations. the Investigation Division has been working for a long time but it would take some time to submit their report, because investigations cannot be complete unless we get all the data.

Dr. Monindra Mohan Chakrabarty: When did they start investigation?

The Hon'ble Prafulla Chandra Sen: Long before the floods.

Dr. Monindra Mohan Chakrabarty: When was that actually?

The Hon'ble Prafulla Chandra Sen: Sir, I cannot give the date. As I was saying, it was expected to finish when it collected all the data—some of the data have got to be collected from Sikkim, some [The Hon'ble Prafulla Chandra Sen.]

from Bhutan, some from Tibet and some from Nepal. It is not an easy matter to collect data from other countries.

Dr. Monindra Mohan Chakra-barty: And some from Heaven too!

The Hon'ble Prafulla Chandra Sen: My friend Dr. Chakrabarty is a scientist. He says "Some from Heavens too". Don't you know that the Heavens, the stars influence our waters? Don't you have tides because of the stars? Certainly you have to collect evidence and other data from the Heavens too, if necessary.

Sj. Nirmal Chandra Bhattacharyya: Will the Hon'ble Minister state when the investigation he was just referring to started?

The Hon'ble Prafulla Chandra Sen: It started a few months back.

8j. Nirmal Chandra Bhattacharyya: In 1952 or 1951?

The Hon'ble Prafulla Chandra Sen: It started in 1953, long before the floods had overtaken the districts. Therefore, my statement was not pessimistic, it was not disappointing. Sir, I gave a factual state of affairs in the affected districts, and I tried to indicate the ways and means the Government had adopted for long-term measures.

[12-30—12-35 p.m.]

Sir, Mr. Debendra Sen, I think, has not read the statement carefully. I have given at page 6 the number of casualties in death. The number is 144 and I also mentioned about the pockets and the number of persons that we rescued from these pockets. We have rescued all the persons that were marooned in these pockets. He also said that I have not mentioned about damage to the tea gardens. Yes, if you look at page 6 you will find that a thousand acre of good

tea land was inundated and partly damaged. He said that I have not mentioned how many people are starving. I say that not a single person is starving.

on floods

Sj. Debendra Sen: Incorrect.

Prafulia The Hon'ble Chandra **Sen:** That is correct. It was said that the money that has been sanctioned for relief work has not reached the people. This statement was submitted on the 2nd September. Up to that date we have spent 48.44 lakhs. Since then—up to yesterday—we have spent 68.90 lakhs. That is to say, at the present moment we are spending at the rate of 21 lakhs per day. Some of the honourable members about agricultural loans. I am receiving demands from various districts, specially from Malda, about which my friend Shri Sachindra Nath Misra spoke. I have sent there agricultural loan because it is necessary not only for feeding the people as the people there hate to take dry doles but also for agricultural purposes. In some subdivisions of Cooch Behar the whole amount of the agricultural loans has been spent and distributed and they are wanting more agricultural loan. I found in the subdivision of Dinhata people transplanting paddy in soils which have received silt due to the flood. So flood is not an unmixed curse. It has its blessings also. I will give my friend Sj. Debendra Sen estimates that we have made the requirements. We are spending only 48 lakhs or for the matter 62 lakhs. desire to spend 9 crores or more or less as the requirements may be. We want to give gratuitous relief for another six weeks and then put the people on test relief work. gratuitous relief would amount to more than 76 lakhs. We are not giving two seers of rice alone and two annas per capita per adult per week. We are also giving milk. We are giving them medicine; we are giving them other necessaries also. Therefore, the relief is not only in the shape of rice doles or cash doles. We

require 7 lakhs for doles in the torm of milk, biscuits and barley. We will have to acquire land to rehabilitate these people who have lost their all. In the town of Cooch Behar itself over 250 families have lost their homesteads.

[12-35—12-40 p.m.]

Their buildings and homestead lands have all gone into the Torsha river. We will have to rehabilitate the people and for them we have made provisions for purchase of land and we would be giving them more house building grants than we usually do. Sir, on this head we have estimated that a sum of Rs. 1 crore and 22 lakhs would be required. Sir, we have already provided 150 tents. We want to send more tents there. In Cooch Behar I went to Patlakhawa area and found that some of the homeless people are housed in tents. I want to send 1,000 tents there. These tents would cost Rs. 1 lakh 50 thousand. We require some clothing and for that purpose we estimated that Rs. 18 lakhs will be required. Sir, we want to sink tube-wells. I had been to some of the subdivisions of Cooch Behar and I found there that the wells have been disinfected bv Medical and Health Department. They have been disinfected properly and the people are taking water from them. And I am glad to tell the members of the House that there is not a single case of death due to cholera or other diseases. Precautionary measures have already been undertaken by the Health and Medical Departments. We want to provide 700 tube-wells. This would cost us Rs. 5 lakhs 67 thousand. We would want to have some ring wells also at Rs. 100 each. would cost us a lakh of rupees. Then again from the 15th October onwards till the harvest time or even after the harvest, if it is necessary, we will give test relief work to the people. We may ask the people to remove the sand deposit, if necessary—there are some areas from where the sand deposited can

be removed and we can ask them to do other works of utility; on this head, Sir, we propose to spend Rs. 1 crore 50 lakhs. There are other schemes such as the Grow More Food Scheme. The Agriculture Department have prepared and given us an estimate of their requirements. They want to have some boro bundh schemes. You know there are three paddy crops in the country, one can be had in the summer also. For the boro the Agriculture bundh scheme Department would require Rs. 5 lakhs. In order to repair and re-construct some of the small irrigation projects which have been badly damaged they required another Rs. 5 lakhs. Sir, you know 1,500 cattle perished during this flood. The surviving cattle are not getting fodder. My friend Dr. Ahmed told me yesterday that he had sent a party with some fodder such as khole and other things for Cooch Behar area. For the supply of fodder, the Agriculture Department has put Rs. 1 lakh 50 thousand under this head. We want to supply seed also to the people for raising rabi crops. They would require seeds of the value of Rs. 6 lakhs. Medical Sir, would also supplies. required. This will cost the Government Rs. 11 lakh 87 thousand. The municipalities and local boards in Cooch Behar, Jalpaiguri and other areas have also lost some of their roads and damage has also been done and for that purpose we propose to give them in the shape of grants and loans Rs. 5 lakhs. Sir, we will require some kind of transport charges. You know we have been airlifting rice, medicine, milk, biscuit, barley and other necessities for Cooch Behar and other areas where we had already airdropped food packets—we would require transport cost to the extent of Rs. 60 thousand. Sir, agricultural loan is being given even now and we propose to give more and it has been estimated that Rs. 1 crore 20 lakhs would be required on this head. Sir, we want cattle purchase loan. We do not want to give the loan now

[The Hon'ble Prafulla Chandra Sen.]

because the surviving cattle cannot get fodder now.

[12-40—12-45 p.m.]

Therefore, as soon as conditions become normal, we want to give cattle purchase loan to the extent of Rs. 5 lakh. The Irrigation Department has both a short-term scheme and a long-term scheme, and the work could start only after the investigation is complete. The Irrigation Department wants to protect some of the important towns and for this purpose the department has estimated that Rs. 3 crores 56 lakhs would be required. My friend Sj. Khagendra Nath Das Gupta says that Rs. 50 lakhs have been provided for the construction of and repairs to roads. Therefore, it is not Rs. 48 lakhs or Rs. 62 lakhs but we want to spend about Rs. 10 crores. (Sj. Nirmal, Chan-DRA BHATTACHARYYA: Why did you not say that that before?) Sir, we cannot have a full-fledged scheme before the floods. After the floods we have to assess the extent of damage. We have got to get the sanction of the Finance Department. And all this require time. Sir, I am glad to announce while on this subject that the Central Government has kindly agreed to bear 50 per cent, of the cost provided the expenditure on relief amounts to Rs. 2 crores. Any amount over Rs. 2 crores would be borne in the proportion of 75 per cent. by the Central Government and 25 per cent. by the State Government. My friend Sj. Deben Sen says "Why did you not give previous inti-mation of the flood?" Sir, previous intimation of the flood could only be given in respect of Teesta. With respect to the other rivers, their origins are not within our territory. Therefore, it is possible to give previous intimation unless those other countries operate with us. But I am sure the Central Government would persuade those countries to cooperate with us in the matter. My friends Sj. Nirmal Bhattacharyya and Sj. Deben Sen suggested to

form a committee from all parties and take that committee to the flood-affected areas. What for? Why should we give them a joyride at our cost? (SJ. DEBENDRA SEN: It is not your money, it is money.) (SJ. NIRMAL public CHANDRA BHATTACHARYYA: shall go there to see whether our money is being spent there properly.) If we take them there in the manner suggested, how many villages they will be able to visit? This cannot be done in a day or two. It would require at least 20 days to go round the flood-affected areas and to make a proper assessment of the damages. (SJ. NIRMAL CHANDRA Внаттаснакууа: They are prepared to devote that time.) Some of my friends have suggested or remarked that in North Bihar relief work in the flood affected areas are being done more efficiently by means of boats but in West Bengal there is no such arrangement. Perhaps my friends have no idea of the topography and the geography of Cooch Behar and Jalpaiguri. These are submontane areas in North Bengal whereas the areas in North Bihar are flat and they are easily accessible by boats. But it is impossible to do likewise in North Bengal. (SJ. Debendra Sen: By dingies.) You cannot go by dingies even. I would request my honourable friend to visit Cooch Behar and Jalpaiguri.

Sir, one of my honourable friends has suggested the regulation of grazing in the areas. Sir, in some parts of Dooars reserve forest areas grazing is not allowed, but we cannot regulate grazing over the areas over which we have no control. We have stopped Jhun cultivation which also causes erosion.

[12-45—12-50 p.m.]

Sir, the other thing that I would like to mention is that this time there were three successive floods: the first one took place on the 15th June and as soon as this flood took place Government of India was informed but the damage done by this first flood was not much. On the 28th of July the second flood

occurred and the Government India was again informed, but the damage done was great but very great. But, Sir, the last tragic flood occurred on the 23rd August. Mr. Nanda flew over the affected area, I think-my friend will correct me-on the 21st August. Although the Prime Minister of India did not mention West Bengal in his appeal, as soon as he had collected some money, he sent Rs. 50,000 to the Chief Minister.

Sj. Debendra Sen: Why West Bengal not mentioned?

The Hon'ble Prafulla Chandra **Sen:** The appeal was made in July after the first flood. He did not think that West Bengal need included. Sir, somebody spoke of floods occurring in other countries Floods also occurred in China where, we are told, a number of Provinces had been affected and, not thousands, crores of people had suffered.

Sir, the last thing that I would like to mention is about the coordination of relief organisations. When I went to Cooch Behar, I did not find any organisation worth the name except the Red Cross Society, the Marwari Relief Society and the Congress Committee. Sir, I learned from the Deputy Commissioner of Cooch Behar how the Congress workers risked their lives to rescue the affected people. did not mention any other party. I asked the people whether they had received any help from any "no" other party. They said What and how such non-official bodies can do? I have just now given an estimate, rough though, that over Rs. 9 crores will be required to give relief to the distressed people, to restore the communications in Jalpaiguri and other areas. What can these organisations do? They can at best collect Rs. 3 lakhs or Rs. 5 lakhs or Rs. 10 lakhs. What is 10 lakhs compared to 10 crores? Sir, I am President of the North Bengal Relief Committee. I have hardly been able to collect more than Rs. 1.35,000, I am Chairman of the Red Cross

Society of the West Bengal Branch and we have collected Rs. 40,000, although we have spent more than a lakh of rupees in Cooch Behar, Jalpaiguri, and West Dinajpur. Sir, the West Bengal Provincial Congress Committee collected Rs. 45,000 the major portion of which was spent in Jalpaiguri and Cooch Behar. Sir, if you add together all these donations and contributions, the total would not come to even Rs. 4 lakhs. Then, why all this talk about co-ordination and co-operation? Go to the people, meet the people and speak to the people, and then you will be able to bring about a ray of hope in the affected areas, not by talking here or having processions or having people's committees on the roads of Calcuttathat will not help the people.

on floods

Sir, my friend Shri S. P. Roy spoke about the teachers of the schools in the flood areas.

[12-50—12-52 p.m.]

Surely if schools have been damaged we will give them some help to reconstruct the buildings. Teachers are getting relief as others. We do not exclude teachers. I understand from the Hon'ble Education Minister that each school is granted the deficit in their budget. This year their deficit may be more. Suppose the deficit—

Sj. Satya Priya Roy: The deficit is calculated on admissible expenditure only.

The Hon'ble Prafulla Chandra **Sen:** It is said that only supporters of the Congress are getting relief.

Nirmal Chandra Bhatta-8i. charyya: I referred to a report that I received.

The Hon'ble Prafulla Chandra Sen: In Cooch Behar and Jalpaiguri everybody is a supporter of the Congress. Sj. Chattopadhyay referred to obstructing the relief activities of people and mentioned about Nandeswar Burman who was put under arrest because of his relief activities. He was arrested on the 10th August, 13 days before

[The Hon'ble Prafulla Chandra Sen.]

Debate

the 23rd August. He was not arrested for carrying on relief operations but for his anti-social activities—rioting and other acts. Sir, I have replied to all the points mentioned by the Bonourable members and I would not take more of your time.

Mr. Chairman: We have already taken two hours over this debate. The debate is now closed. I propose we adjourn till 9-30 on the 10th September, and the remaining business will then be taken along with others.

Adjournment.

The Council was then adjourned at 12-52 p.m. till 9-30 a.m. on Friday, the 10th September, 1954, at the Legislative Buildings, Calcutta.

Members absent.

Banerji, Sj. Bankim Chandra, Bose, Sj. Subodh Kumar, Chatterjea, Sj. Devaprasad, Choudhuri, Sj. Annada Prosad, Guha, Sj. Prafulla Kumar, Mohammad Sayeed Mia, Janab, Prodhan, Sj. Lakshman, and Sanyal, Sj. Charu Chandra.

COUNCIL DEBATES

Friday, the 10th September, 1954.

THE COUNCIL met in the Legislative Chamber of the Legislative Buildings, Calcutta, on Friday, the 10th September, 1954, at 9-30 a.m. being the 3rd day of the Fifth Session, under the Constitution of India.

Mr. Chairman (The Hon'ble Dr. SUNITI KUMAR CHATTERJI) was in the Chair.

[9-30—9-35 a.m.]

Mr. Chairman: We shall now resume discussion on the West Bengal Secondary Education (Temporary Provisions) Bill, 1954.

Sj. Satya Priya Roy:

মাননীয় সভাপতি মহাশ্য, আমাদের শিক্ষামন্ত্রী আমাদেব সামনে এই যে বিল উপস্থিত করেছেন তাতে আমবা আশা কবেছিলাম যে সবকার শিক্ষাবিস্তার ও শিক্ষা সংগঠনেৰ উপৰ অধিক জোৰ দিবেন, কিন্তু দঃখেৰ বিষয় যে বিল আমাদেৰ সামনে এসেচে সেই বিলে আমবা কোনরকম শিক্ষার উন্তি দেখতে পাই না। এই বিল তাবা নিয়ে এসেছেন শিক্ষা পর্মৎকে বাতিল করে যে অভিনান্স জাবী কব। হয়েছিল তাকে আইনানুগ কববার জন্য। ১৯৫১ শালে এই পর্ঘৎ পতিষ্ঠিত হয় এবং ১৯৫৪ সালেব মে মাসে পর্যৎ ভেক্সে দেওয়া হয়। সরকারই এই পর্ষৎ গঠন কবেন এবং সরকারেব হাতেই পর্ষদের অপমত্য ঘটেছে। অবশ্য পর্মদেব পক্ষে ওকালতি কৰবাৰ জন্য আমি দাঁডাইনি। কিন্তু কি কারণে পর্যদের অপমৃত্যু ঘটল সে সম্বন্ধে কিছু বলতে চাই। সেকেণ্ডারি এড়কেসন য়্যাক্ট যখন ১৯৫০ সালে পতিষ্ঠিত হয় তথন সরকারেবও দায়িত্ব এবং পর্যদেরও দায়িত্ব ছিল কতকগুলি কাজ করবার। পর্যদের দায়িত্ব ছিল কতকগুলি রেগুলেসন 🖣রবার এবং সে দায়িত্ব পালন কবেছে। কিন্তু কতকগুলি ব্যাপারে সেকেগুরি এডুকেসন য্যাক্টএ এই নিয়ম ছিল যে সরকাব সে বিষয়ে আইন রচন। করবেন। কিন্তু সরকারপক্ষ থেকে একটা করা হয়নি। সরকারপক ধেকে শাধ্যমিক পর্ঘদকে যে টাকা দেওয়া হয়েছিল--সে টাক। কিভাবে খবচ করা হবে এবং কিভাবে হিসাব

বাবা হবে সে সম্বন্ধ কতকগুলি আইন কবাব পুয়ো—
জনীয়তা ছিল এবং সে আইন কবাব দায়িত্ব একমাত্র
সরকারেরই ছিল এবং যেটুকু কবেছেন, তাও আজ—
গুবি। এসম্পর্কে অভিট রিপোর্টএ যা বলা আছে
——জেনারাল রিমার্কসএ—সেটা আপনাদের সামনে
তুলে ধরব। অভিট কিপোর্টএ জেনারাল রিমার্কসএ
এই কথাই বলা আছে যে সবকাবের দায়িত্ব কল
তৈরি করা কিন্তু সেটা কবা হয়নি বলেই অভিট
করা সন্তবপর হয় নাই। আমি রিপোর্ট থেকে
কিছুটা অংশ পড়ে শোনাচিছ—

"regulations required to be prescribed by the Board under the Act have not yet been made and the rules made by Government cover only a minor portion of the things required by the Act. So it was difficult for them to check."

[9-35-9-40 a.m.]

এ সম্পর্কে বোর্ডএর যে হিসাব পরীক্ষার রিপোর্ট দেওয়া হয়েছে। তাতে অনেক দোঘক্রাটিব উল্লেখ করা হয়েছে। এবং সর্বত্র অভিট বিপোর্টএ একখা বলতে বাধা হয়েছে যে সবকাবপক্ষ পেকে কল তৈরি কবা হয়নি বলেই বোর্ডেব পক্ষে এগব হিসাব বক্ষা সম্ভবপব হয়নি। বাজেট সম্পর্কে বলতে গিয়ে অভিট বিপোর্টএ বলা হয়েছে—

"proper registers and accounts were not maintained of receipts and expenditure under each budget head which is required to be maintained in accordance with the Accounts Rules made in this behalf."

য্যাকাউ ট কলস তৈবি কববার সমস্ত দাযিত্ব ছিল সরকাবের কিন্তু সবকার সে দায়িত্ব পালন করেন নি। তথ তাই নয় --বোর্ড পতিষ্ঠা হলে যে সমস্ত নিয়ম পালন কবা शुरामा किन, रा गम्मर्क गतकार यहाउन किला। বোর্ড হওয়ার পর বোর্ডেব বিকন্ধে এই অভিযোগ এসেছে যে গ্রাণ্ট সম্পর্কে যে নিয়ম কানুন ছিল ताई शानन करतन नि। नाञ्चनिक शान्के मन्मर्क् সরকাব কোন নিয়মই করেননি। এবং ১৯৫০ সালের আইনের বলে ১৯৫১ সালের মে মাস থেকে কাজ আরম্ভ কবলেন এবং ৩।৪ মাস অপেকা করে সাহাদ্য দান আরম্ভ করলেন। কিন্ত ভাদের সামনে সরকারের কোন নিয়ম নীতি ছিল না--একখা নার বাব অভিট বিপোর্টে वना श्राह्य मत्रकात रकन निग्रम करनननि छ। তারা বঝতে পারেননি। বাস্তবিক যে নিয়ম করা হয়েছিল সেটা নিতাম্ব আজগুনি। সে নিয়মগুলি যদি দেখেন ভাহলে ব্ঝতে পারবেন বাস্তবিকপক্ষে ৩ হাজার টাকার শিক্ষাসচিব এবং সবচেয়ে মাধাভারী

[Sj. Satya Priya Roy.]
শিক্ষাদপ্তর তথন পর্যন্ত গ্রাণ্ট-ইন-এড সম্পর্কে কোন
কর্মার নিয়ম করার সময়ই পায়নি। একটা
নিয়ম করা হয়েছে যে সাহাযাপ্রাপ্ত স্কুলগুলিতে
নাষ্টারপিছু ২০ জন করে ছাত্র থাকবে। কিন্ত
পশ্চিম বাংলায়ু প্রায় সর্বত্রই নাষ্টারপিছু ৩০।৩৫ জন
বা ততোধিক ছাত্র রয়েছে। সূত্রাং এই নিয়ম
যদি কার্যাকরী করতে হয়, তাহলে সরকার থেকে
কোন সাহায্য—কোন গ্রাণ্টই পেতে পারে না।
তারপর পুধান শিক্ষক মহাশয়ের যোগ্যতা সম্পর্কে—
good Masters degree, good Honours
degree, good B. T. degree—

কিন্ত বোর্ড হবার পর এটা কার্য্যকরী করবার জন্য ডি--পি--আইর পক্ষ থেকে যেসব কারিফি--কেশন দেওয়া হয়েছিল, সেইসব কারিফিকেশান সম্পর্ণ এই করা হয় ৷ কারিফিকেশানগুলি বাদ দিয়ে আইনকে কার্য্যকরী করা সম্ভবপর নয়। এটা নিতান্তই আজগুৰী, বান্তবের সঙ্গে সে আইনের কোন সম্পর্ক নাই। সে বিষয় চিন্তা করবার এক মহর্ড সময়ও তাঁর। পান নাই। ১৯৪৮ সালে যে षाইন ছিল, সেই আইনকে বস্তা থেকে খুলে বের করে, তাই ছাপিয়ে শিক্ষাপর্ঘতের দেওয়া হয়েছিল। সেই শিক্ষাপর্যতের পক্ষে আইন পালন করে একটা বিদ্যালয়কেও সাহায্য দেওয়া সম্ভবপর ছিল না।

মাননীয় শিকাষন্ত্রীর কাছে আমার জিপ্তাস্য এখনও এই আইন পালিত হচেছ কি ? এখন তো য্যাড— মিনিষ্ট্রেটরের হাতে শাসনভার দেওয়া হয়েছে। তিনি কি এই আইন মেনে একটী প্যসা কোন বিদ্যালয়কে সাহায্য করতে পারবেন ?

(SJ. NIRMAL CHANDRA BHATTA-CHARYYA: Hear hear.)

[9-40—9-45 a.m.]

এই পুশের পরিকার একটা উত্তর আমাদের মাননীয় শিক্ষামন্ত্রীর কাছে আমি আশা করব। তাছাড়া

এই আইন সম্পর্কে আরও বন্ধব্য হচেছ যে মাধ্যমিক শিক্ষাপর্মৎ পতিষ্ঠিত হলে পর এম--ই-স্কুলগুলি সব জুনিয়র হাইস্কুল হয়ে গেল। এই যে নৃতন ষ্ট্যাটাস হলো. তারপর তাদের কিভাবে সাহাব্য করতে হবে সেই সম্পর্কে কোন আইন আজ পর্যান্তও শিক্ষা-দপ্তর প্রণয়ন করেন নাই। অথচ এটা শিক্ষাদপ্তরের অবশ্য কন্তব্য ছিল সেকেগুারী এডকেশান আষ্ট্র ১৯৫০ অনুযায়ী। সেজন্য অডিট রিপোর্টে মন্তব্য করা হয়েছে। জুনিয়র হাই স্কুলগুলিকে যে সৰ সাহা**য্য দেওয়া হয়েছে, তা নিতান্তই বে**আইনীভাবে দেওয়া হয়েছে। জনিয়র হাইস্কলকে সাহায্য দেবার জন্য কোন ব্যবস্থা কোনরকম আইন সরকার কর্ত্তক লিপিবদ্ধ নাই। এথেকে পরিষ্কার প্রমাণ হচেছ নাকি যে সেকেণ্ডারী এডুকেশান ফ্রাক্টে সরকারের যে সব দায়িত্ব ছিল, আমাদের সরকারী শিক্ষাদপ্তর সেই সম্পর্কে সম্পূর্ণ অচেতন ছিলেন? তাঁদের কর্ত্তব্য পালন করবার জন্য তাঁরা এক মুহর্ত্তকাল সময়ও নষ্ট করতে পারেন নি।

Billa

[Sj. NIRMAL CHANDRA BHATTA-CHARYYA: Hear! Hear!]

তারা এক মুহর্ত্ত চিন্তা করে আইনটাকে সময়োপযোগী করে তুলতে পারেন নাই। শুধু তাই এই গ্রাণ্ট-ইন-এড রুলসে যেসব নিয়ম কানুন আছে তার যেখানে যেখানে ভাঙ্গা হয়েছে তা অভিট রিপোর্টে পরিষ্কার দেখান হয়েছে যে সরকারী বিভাগের হস্তক্ষেপের ফলে এইসমস্ত রুলগুলি ভাঙ্গা হয়েছে। যেমন অডিট রিপোর্টে বলা হয়েছে নিবেদিতা গার্**নস** স্কুলের কথা। সেখানে বিলিড: গ্রাণ্টে নিয়**ম আছে** —বাডীর জন্য যেটা খরচ হবে তার অর্দ্ধেক **সরকার** पार्व। जार्क्क कांक राम शाम गत्रकात अमान-ফোর্থ দেবে এবং সম্পর্ণ কাজ হয়ে গেলে এক্সি-কিউটিভ ইনজিনিয়ারের সাটিফিকেট নিয়ে রিপোর্ট দিলে বাকী ওয়ান-ফোর্থ সাহায্য দেওয়া হবে। অভিট রিপোর্টে পরিষ্কার বলা হয়েছে নিবেদিত। ইনু ষ্টিটিউসনের যে বাড়ী তৈরী হরেছে, তার জন্য যে টাকা খরচ হয়েছে, তা সম্পূর্ণ সরকার থেকে দেওয়া হয়েছে এবং কাজ হবাব আগেই কা**জে**র কমপ্রিশান সার্টিফিকেট না নিয়েই সেই সব টাকা তাদের দেওয়া হয়েছে। সেখানে বোর্ডের পক্ষ থেকে ফাইন্যান্স কমিটী যে জবাব দিয়েছেন তা আমার কাছে আছে। তাঁরা বলেছেন শিক্ষাসচিব তাদের চিঠি লিখেছিলেন এবং বোর্ড তার শিক্ষাসচিবের चारिनकरम ता निर्द्यनकरम এই বে-चारेनी कांक्र করতে বাধ্য হয়েছিলেন।

[9-45-9-50 a.m.]

পত্যেক শ্রেণীতে ৪০ জনের বেশী ছাত্র থাকতে পারবে না। চরিশজনের বেশী যদি কোন শেণীতে চাত্র থাকে তাহলে সেই বিদ্যালয় কোন সাহায্য পাবে না। এই হচেছ সরকারী আজগুৰী নিয়ম **এট সাহায্যদান সম্পর্কে।** তাহাড়া আরও এক জারগার এই নিয়ম ভঙ্গ করা হয়েছে; সেটা হচেছ ভিক্টোরিয়া ইনষ্টিটিউশান। এই ভিক্টোবিয়া ইনষ্টি-টিউশানেব সঙ্গে আমাদের মুখ্যমন্ত্রী ডাঃ রায় বিশেঘভাবে জ্বড়িত ছিলেন এবং সারা কলিকাতায় কেন সারা পশ্চিমবঙ্গে এটা মুখ্যমন্ত্রী মহাশয়ের বিদ্যালয় বলে পরিচিত। এবং সেখানেও অডিটর পরিষ্কার করে দেখিয়ে দিয়েছেন যে সেখানে প্রত্যেকটা শ্রেণীতে চরিশন্তনের উপব ছাত্রী ছিল এবং তা সবেও সেখানে সাহায্য দেওয়া হয়েছে। কাজেই একদিক গাণ্ট-ইন-এড সরকাবেব বোর্ডের छना রুলস তৈরী করবার যে দাযিত্ব ছিল--সে দায়িত্ব সরকাব পালন করেন নাই এবং অন্যদিক থেকে তাদের নিজেদের তৈরী গুণ্ট-ইন-এড রুলস ভালবার জন্য মধ্যশিক্ষাপর্ঘৎকে সরকারপক্ষ খেকে निर्দেশ দেওয়া হয়েছে। অপচ অভিযোগ আনা হয়েছে যে মধ্যশিক্ষা-পর্ষৎ গ্রাণ্ট-ইন-এড রুলস भानन ना करव गतकाती निर्मिश **य**याना करत्राष्ट्र।

(The blue light was lit at this stage.)

Sj. Satya Priya Roy: I want a few minutes more.

Mr. Chairman: You have already spoken for 15 minutes. There are other speakers also.

Sj. Nirmal Chandra Bhatta-charyya: We shall be glad if you will kindly give him more time. He is the only person in the Opposition who knows more than anybody else about Secondary Education as he happens to be the Secretary of the All-Bengal Teachers' Association.

[9-50-9-55 a.m.]

8j. Satya Priya Roy:

কাজেই এটা আনাদের পরিকার অভিযোগ যে সরকারের এই সাহায্যদান সম্পর্কে যে নীতি পালন করা উচিত ছিল, মধ্যশিক্ষাপর্যতের জ্বন্য যে নিয়ম তৈরী করকার দায়িত্ব ছিল, সরকার সে দায়িত্ব পালন করেন নাই। সরকার এমন এক আঞ্চগুৰী আইন তৈরী করেছেন--যে নিয়ম বাংলাদেশে কিছতেই পালন হতে পারে না। সেই নিয়ম ভাঙ্গবার জন্য সমস্ত নির্দেশ সরকারপক্ষ থেকে এসেছে। এই नियम जनुयायी यभि नाशया प्रथम इस जाश्रत বাংলাদেশে যে ৮০৭টা স্কল আছে যারা আজও শাহায্য পায়, সেই বিদ্যালয়গুলির মধ্যে হয়ত একশোটী স্কল সাহায্য পেতে পারে না। অখচ সাহায্যপাপ্ত স্কলগুলির কি অবস্থা তা সকলের জানা আছে। ভারতের অন্যান্য রাষ্ট্রে স্কুলেব কি অবস্থা সেটা আমি আপনাদের সামনে উপস্থাপিত কবছি। দেশের শতকবা ৬৫টি স্কল সাহায্যপাপ্ত: আব वाकी (व-मत्रकावी विम्तालयश्विल (कान मवकावी माद्याग পায় না। কিন্তু সেই জায়গায় বোলে--৮৩-১ পার্শেণ্ট <u> শাহায্যপ্রাপ্ত</u> विष्णानय, **এवः मामारक** ৫২ পার্শেণ্ট। আৰু ওখানে পায় সহায্যহীন যে বিদ্যালয় তার সংখ্যা হচেছ ০০৭ পার্শেন্ট। আর गमछ विभागवाधिन (गथारन गाहाया शाहा नि मौर्फ আন-এডেড স্কল गाँ । ইউ-পিতে আন-এডেড স্থলের সংখ্যা হচেত্ ৯.৩ পার্শে-ট. মাদ্রাজে O·9 পার্শেণ্ট, বোম্বে ৩৩ পার্শেণ্ট। আৰ আমাদের পশ্চিম বাংলাৰ দুৰ্ভাগ্য এখানে পায় ೨৫ পার্শেণ্ট বিদ্যালয কোন বকম সাহায়্য পায় না। এখান খেকে সবকাবপক্ষ খেকে বলা হয় যে আমবা শমস্ত ডেফিসিট--শমস্ত ঘাটতি প্রণোর निर्धिष्ठ, या अना कान नारहे नाहे। ताहे बाहे जि প্ৰবেৰ দায়িত নেবাৰ ফলে কতওলি বিদ্যালয় কি পবিমাণ এড পায়, যেখানে আইন ভাঙ্গতে হয়. কত টাকা তাবা থবচ কবে থাকেন ছাত্র ছাত্রীব জন্য সেটা তুলনামূলকভাবে এখানে উপস্থাপিত ক্বছি। আসাম গভর্ণমেণ্ট খবচ ক্রেন ৪২-১ সম্পূর্ণ খরচ তাদেব এবং ফি আকাউণ্ট ৩৯.০ পার্সেণ্ট। সেখানে সি-পি--৪৬ া সরকার পরচ করেন, এবং অভিভাবকদেব পক্ষ খেকে चारम ७८:३ भार्त्भ । इहे भाक्षाव--८०:८ পাশেণ্ট গভৰ্ণমেণ্ট খেকে খবচ কৰেন এবং ছাত্ৰ-বেতন থেকে আসে ৩৬·৪ পার্নে৽ট, আর সেখানে আমাদের ওয়েষ্ট বেঙ্গল গভর্গমেন্ট প্রচ করেন ২১٠৪ পার্নেণ্ট এবং অভিভাবকরা ছাত্রবেতন হিসাবে সামগ্রিকভাবে ৬৪ পার্নে-ট। কাজেই আমাদের এই সরকাবের সমক্ষে এই সম্পর্কে কোন নীতি বা বিদ্যালয়গুলিকে বাঁচিয়ে ভোলাব কোন প্রচেষ্টা নাই, সেকণা আমি যে তথ্য আপনাদের কাছে পরিবেশন কবলাম তাথেকে পবিন্ধারভাবে আপনারা উপলব্ধি করতে

[Sj. Satya Priya Roy.] [9-55—10 a.m.]

তাছাড়া আব একটা অভিযোগ যা পর্যতের বিরুদ্ধে আনা হয়েছে সেটা হচেছ যে পর্মৎ মঞ্জরি, স্বীকতি বা রেকগণিশনএর নিয়মকানুন না মেনে কতকগুলি বিদ্যালয়কে বেকগনিশন দিয়ে দিয়েছে। দঃখের বিষয় সেখানেও সবকাবের দায়িত্ব ছিল রুল তৈরি করবার যে পর্যান্ত বোর্ডপক্ষ থেকে রেগুলেশন না হয়। ১৯৫০ সালে সেকেণ্ডারি এড়কেশন ম্যাক্ট তৈরি এবং সেই য়াাঈ অনুযায়ী ১৯৫১ সালের মে মাস থেকে কাজ আবত্ত হয়। কিন্তু ২ বছবের মধ্যে স্বকাবপক্ষ থেকে--্যেকে গুবি এডকেশন ম্যাক্ট অন্যায়ী তাদেব পালন কৰেননি-–যেমন গাণ্ট-ইন-এড ব্যাপারে, তেমনি বেকগনিসন সম্পর্কে। সতবাং বিশ্ববিদ্যালয়ের যে সব নিয়মকানুন এত দিন চলে আগছিল গেটা কনভেন্যন হিসাবে তাদের সামনে ছিল। সরকান যে কল তৈবি করার দায়িত্বই পালন কবেননি তা নয়-মধ্যশিকাপর্মৎ যে স্কল কোড তৈরি কবে সরকারের পাঠিয়েছিল সেই কাচে বেওলেসন সবকাবী লাল ফিডার আঢ়ালে সরকাবী দপ্তরে পড়ে বয়েছে। তাছাড়া বোর্ডেব বিৰুদ্ধে আব একটা অভিযোগ করা হয়েছে---

Board unsuitable text books পাঠ্য পৃস্তক পাঠ্য কবেছে। সেখানে আমাৰ জিজ্ঞাস্য কোন আনসুটেবল পুস্তক পাঠ্য করেছেন ? বিজ্ঞান-সাইয়েন্স সম্পর্কে বই ভিআই, ভিটআই এও ভিশিআইব জন্য পাঠ্য কবেছে। বিশ্ববিদ্যালয় ইংরেজী বাংলা ও সংস্কৃত যা আগে পড়ান হত সেসমস্ত বই ক'শ আইএকা ও একাএ তাবা নিজেবাই রচনা কবেছেন এবং সেইটা মেনেই বোর্ড তাদের পাঠ্য-তালিকা রচনা কবেছেন। সেই পাঠ্য-ভালিকা ও টেষ্ট বুক পাঠ্য আছে। সেই নিয়ে -- পাঠাপস্থক নিয়ে আপনারা জানেন অনেক কেলেঙাবী হয়েছে। আপনারা জানেন একজন চীফ ইন্সপেক্টর যিনি শিক্ষাদপ্তবের খর পিয় ব্যক্তি --তার ২৭ খানা বই ছিল। এনিয়ে বিধান পরিষদেও আলোচনা হয়েছিল। তবে Public memory is very short এবং তারই স্যোগ নিয়ে মধ্যশিক্ষাপর্যতের বিকদ্ধে এই চার্জ করা হয়েছে যে তাবা unsuitable text books prescribe ব্বরেছে।

তারপর, পরীকা বিন্নাট সম্বন্ধে অনেক আলোচনা এর আগেও হয়েছে-এরকম বিন্নাট নুতন নয়--বিশুবিদ্যালয়েও পূর্বে পর্বে বটেছে। ইতিমধ্যে ধবরের কাগজে দেখে থাকবেন এই বিশ্রাট সম্বন্ধে পর্যতের পক্ষ থেকে একটা তদন্ত হয়েছিল—এবং যে রিপোর্ট তারা দিয়েছিল, সেটা নিশ্চমই শিক্ষান্থরে পৌছেছিল। এ পুসকে মাননীয় শিক্ষামন্ত্রীকে জিল্পাস্য—রিপোর্টে যাকে এই বিশ্রাটের জন্য সব চেয়ে বেশী দায়ী ও দোঘী সাব্যস্ত করা হয়েছিল, তার বিকদ্ধে কি শান্তি—মূলক ব্যব্ছা করা হয়েছে? কিন্তু শুনতে পাচিছ্ তাব এই কার্যের পুরজাবস্বরূপ তাকে উচচ্ডর বেতনে ও পদে বহাল রাখা হয়েছে। আমরা এব পুতিরাদ জানাচিছ। এই কি গণতন্ত্রের কপ। অবশ্য আমাদের মাননীয় পুধানমন্ত্রী বলেছেন যে গণতন্ত্র তোর্গার পুরবন্ব চেয়ে ভয়ক্তর এবং মহীতোঘ বাবুও ২লেছেন যে নির্বোধেরাই কেবল গণতন্ত্র বিশ্বাস করে।

The Hon'ble Dr. Bidhan Chandra Roy: I do not say that Democracy in spate,—
স্টোকে আমি তোসাঁ প্লাবনের সঙ্গে তুলনা করেছি ভয়ন্ধর।

8j. 8atya Priya Roy:

যাহোক মহীতোঘ বাব বলেছেন যে নিৰ্বোধেরাই গণতন্ত্রে বিশ্বাস কবে। আজ মহীতোদ বাৰ বুদ্ধিমানেব দলে জায়গা নিয়েছেন, সেজন্য তাকে ধন্যবাদ জানাচিছ কিন্তু যাদেব তিনি নিৰ্বোধ বলেছেন তাবাই শিক্ষা সম্বন্ধে চিন্তা কবছেন। বাব ইংলণ্ডকে হয়ত ফাদাব ল্যাণ্ড বলবেন---বাসিয়াব প্রতি তাব ভীতি আছে, তিনি সবই লাল দেখছেন---সেই ইংলণ্ডেব গণতন্ত্রের জানেন, শিক্ষাৰ ইতিহাস পৰ্য্যালোচনা করেছেন যার। তাবা বলবেন এটা পুলাপবাক্য ছাডা আব কিছ নয়। সেই ইংলও ২৫০ শত মিলিয়ন পাউও খরচ করেন শিক্ষা সম্বন্ধে আর এখানে Local Educational authorities-(noise).

Sj. Mohitosh Rai Choudhuri: On a point of personal explanation, Sir.

Mr. Chairman: You may give your personal explanation afterwards.

Sj. Satya Priya Roy:

মে মাসে পর্যৎ বাতিল হয়েছে। তারপর ৪ মাস পর সেই বেআইন আইনকে রেগুলারাইজ করার জন্যই সাপ্রেসন অর্তাবকে রেগুলারাইজ করার জন্য এই আইন বর্ত্তমানে আনা হয়েছে। ১।৪ মাসের মধ্যে মধ্যশিকা পর্যৎ গঠন হবে কিনা এবং হলে কিতাবে হবে সে সম্বন্ধে কোন ইঞ্চিত এই বিলের মধ্যে নাই। শিক্ষা দথ্যর থেকে নিশ্চই উত্তর দেওয়া হবে আরর।

সকেন্তারি এডুকেসন কমিশন বসাচিছ। বলবেন
সেই অনুসারেই মধ্যশিক্ষাপদৎ পুনর্গঠন করা
হবে। কিন্ত এই সেকেণ্ডারি এডুকেসন
সম্বন্ধে আমাদের কোন আস্থা নাই এবং পুধানমন্ত্রীমহাশয় ইতিপূর্বে যে সমস্ত পুতিশ্রুতি দিয়েছেন
তারই মত এই কমিশন গঠন ব্যাপাবেও ছয়ত তাব
গৃতিশ্রুতি রক্ষা করবেন না।

এই সম্পর্কে শিক্ষাদপ্তব থেকে নিশ্চমই একটা

তত্তব আসবে যে আমরা সেকেণ্ডাবী এডুকেশন
কমিশন বিসিমেছি। সেই সেকেণ্ডাবী এডুকেশান
কমিশন যেতাবে আমাদেব মধ্যমিক শিক্ষা বিষয়ে
মূপারিশ করবেন সেইভাবে আমরা মাধ্যমিক শিক্ষা
পুনর্গঠিত কববো। কিন্তু এই সেকেণ্ডাবী এডুকেশন
কমিশন সম্পর্কে আমাদেব পবিকার নীতি হচেছ
আমাদের এতে কোন আস্থা নাই। মুখ্য মন্ত্রীমহাশয
গত কেনুদুমারী মাদে এই কমিশন গঠন সম্পর্কে
যেসব পুতিশুচতি দিয়েছিলেন, তিনি তা রক্ষা কবেন
নাই। তিনি তখন বলেছিলেন—

[10-10-5 a.m.]

(At this stage the red light was lit.)

Mr. Chairman: Mr. Roy, you have spoken for half an hour.

8j. 8atya Priya Roy:

আমাকে আব দু চাব মিনিট সময় দিন।

Sj. Nirmal Chandra Bhattacharyya: Sir, let him finish this particular point which he is developing.

Mr. Chairman: Then he may speak for three minutes more.

Sj. Satya Priya Roy:

কমিশন সম্পর্কে গত ফেন্টুমারী মাসে মুখ্যমন্ত্রীমহাশয় পরিকাব ঘোষণা করেছিলেন যে তিন মাসেব
মধ্যে কমিশনের বিপোর্ট আমাদেব হস্তগত হবে।
সেই ফেন্টুমারীব পবে তিন মাস কেন, আরও তিন
মাস চলে গেছে, সেই মাধ্যমিক শিক্ষা কমিশন সবেমায় কাজ আরম্ভ করেছেন ঠিক এই বিধান
পরিষদেব অধিবেশন বসবাব সামান্য কয়দিন আগে।
তাও বিশৃংখলভাবে তাঁরা আরম্ভ করেছেন। এতে
পবিকার করে বোঝা যায় সরকারকে এই কথা
বলার সুযোগ দেওয়া যে কমিশনের কাজ আরম্ভ
হয়েছে। সেইজনাই তাঁরা এখন আরম্ভ করেছেন।
আরি বলতে পারি কার কার কাছ থেকে সাারকলিপি

আমন্ত্রণ করা হচেছ। কমিশন যে কাজ আবম্ভ করেছেন—কেবলমাত্র এইটুক্ দেখার তাঁৰা তাড়াহুড়া কৰে নামটা পৰ্য্যন্ত সঠিক না জেনে চিঠি পাঠিয়ে দিচেছন ভল নামে। মিত্র ইনষ্টিটিউ-সনেব এসিষ্ট্যাণ্ট হেডমাষ্টার জ্ঞানেন্দ্র কমাব সেনগুপ্তেব কাছে চিঠি গেছে --জানেন্দ্র চন্দ্র সেনগুওঁ, হেডমাষ্টার, মিত্র ইন্ষ্টিটিউশান এই নামে। এই ত অবস্থা! মুখ্য-মন্ত্রীমহাশ্য প্রতিশ্রুতি দিয়েছিলেন এমন লোক নিয়ে কমিশন গঠিত হবে যাঁরা পশ্চিম বাংলাব শিক্ষা সম্পর্কে ওয়াকিবহাল এবং পশ্চিম বাংল। সবকাবেব সঙ্গে সংশ্রিষ্ট নন্। মিষ্টাব চাটাজী--্যিনি কমিশনের একজন সদস্য --তিনি যে পশ্চিম বাংলাব শিক্ষা गम्लदर्क उपाकिवदाल এकथा वला याग्र ना। उाँकि আমবা সম্মান কবি। অন্য কোন বিষয় সম্পকে বা শিক্ষা সম্পর্কে জ্ঞান থাকলেও পশ্চিম বাংলার শিক্ষা সম্পর্কে তিনি কোন জ্ঞান দাবী করতে পারেন ना। তিনি এখানে কখনও আসেন না। এমন কি পবিচিত লোকের মুখে গুনেছি তিনি নাকি বাংলা কখা পর্যান্ত বলতে পারেন না।

The Hon'ble Dr. Bidhan Chandra Roy: He is not a member of the Commission.

8j. Satya Priya Roy:

সবকারী কমুনিকেতে তাঁর নাম ঘোষণা কর হয়েছিল এবং খবরের কাগজেও ত**াঁর নাম ছাপ** হয়েছে।

Sj. Nirmal Chandra Bhatta-charyya: That is another example of bungling by the Chief Minister.

The Hon'ble Dr. Bidhan Chandra Roy: I think Mr. Roy can defend himself instead of Professor Bhattacharyya coming to his rescue.

8j. 8atya Priya Roy:

এই সম্পর্কে বিশেষ কবে মাধ্যমিক শিক্ষা কমিশনের
যিনি সম্পাদক নির্বাচিত হয়েছেন তিনি মুদালিয়র
কমিশনেরও সম্পাদক ছিলেন। সেই মুদালিয়র
কমিশন, তারা কতকগুলি সুপারিশ করেছেন। কাজেই
তাঁর বন্ধ ধারণা তিনি তার বড় কারণ। সুতরাং
কোন ধোলামন উদার দৃষ্টি নিয়ে এই সমস্যার বিচার
বিবেচনা ভিনি করতে পারবেন না। সেই মুদালিয়র
কমিশনের চেহারাটাই তাঁরা অনসরণ করবেন।

[Sj. Satya Priya Roy.] ৰুদালিয়র কমিশন রিপোর্টের ইষ্প্রিমেণ্টেশন কমিটা সেণ্ট্রাল গভর্গ মেণ্টকে বলেছিলেন কোন বিদ্যালয় সরকারের অনমতি না নিয়ে খোলা চলবে না এবং সেই বিদ্যালয় খোলার অনুমতি তাঁরা দিবেন যদি এক বছরের খরচ অন্তত: দশহান্ধার টাকা তাদের রিজার্ভ ফণ্ডে থাকে। এই বিলে যদি তার এই একটা নিয়মও কার্য্যকরী করা হয়, তাহলে নতন विष्णानम (थाना पृत्त थाक्क---याज्ञ य गमछ বিদ্যালয় আছে তারও শতকরা ৯০টা বিদ্যালয়ই উঠে যাবে। এই সম্পর্কে সরকারের দায়িত্ব গ্রহণ করা উচিত। ম্যাক্ট ১৯৪৫ অনুসারে ইংল্যাণ্ডের সরকার খারাপ অবস্থার বিদ্যালয়গুলির উন্তির জন্য তার পরিচালনা ভার নিজের হাতে গৃহণ করেন। উনতি করার পর তাঁদের পরিচালনার प्यारंग यारमत्र अनेत्र माग्निफ हिल, नूनताग्र विमानग्र-গুলির ভার তাদের উপর দেবার ব্যবস্থা করা হয়েছে। স্কল বাড়ী তৈরীর দায়িত্ব ইংলণ্ডের সরকার নিয়েছেন। এই বছরে সেখানে বিদ্যালয় গৃহনির্মাণের জন্য ৪৪ মিলিয়ন পাউও বরাদ্দ করা হয়েছে। তাতে সমগ্র ইংলাণ্ডে একটা বিরাট বিক্ষোভ দেখা দিয়েছে। শিক্ষামন্ত্রীমহাশ্যের কাছে আমার পুশু থাকবে তিনি এবিষয় কি বলেন? আমরা জানি আমাদের বিদ্যালয়গুলি মোটেই স্বাস্থ্যকর নয়, তাতে উপযুক্ত সরঞ্জামও নাই। এই যে বিল উপস্থাপিত কর। হয়েছে এব পিছনে এমন কোন ইঙ্গিত আছে कि य विमानमञ्जलित शृश्-निर्मान, माजमतक्षाम প্রভতি তৈবী করে দেবার জন্য সরকার দায়িত নেবেন ? তাব কোন প্রতিশ্রুত এখানে নাই। সেদিক খেকে আমি বলবো এই বিলটা প্রহসন মাত্র। সেইজন্য এই বিলকে জনমত সংগ্রহার্থে পাঠাবার জন্য আমাদের সামনে যে সংশোধন প্রস্তাব আছে সেটা আমি সমর্থন করছি।

[10-5-10-10 a.m.]

Mohitosh Rai Choudhuri: Sir, on a point of personal explanation. My friend, Mr. Roy, has misquoted me. What I said, if he refreshes his memory, is that except in England and to some extent in the United States Primary Education and what goes by the name of Secondary Education in those countries are controlled by the State. This was my first statement. My second statement is that

questions like what the education of a country should be, how it should be conducted and what should be the curriculum should not be left to be determined by ordinary people. Just as ordinary people cannot appreciate the beauty of Shakespeare, which can only be understood by competent authority. so also the problem of education should not be left in the hands of Tom, Dick and Harry or Rama, Shyama and Jadu.

Bills

[10-10—10-15 a.m.]

Sj. Annada Prosad Choudhuri: মাননীয় সভাপতি নহাশয়, মাধ্যমিক শিক্ষাপর্ছৎ সম্বন্ধে বিস্তৃতভাবে আলোচনা হয়েছে,; তবু সংক্ষেপে দুই একটা কথা বলতে চাই। মাধ্যমিক শিক্ষাপর্মৎকে বাতিল কবে দিয়ে অপূর্ব চন্দ্র মহাশয়কে সরিয়ে দিয়ে, আর মাননীয় গোপেন দাস মহাশয়কে বসিয়ে দিয়ে সেখানে স্বকাবের কর্ত্তর্য পালিত হতে পারে না। কিন্তু সে বিষয় আমাৰ বক্তব্য বলতে গিয়ে একটা ঘটনার প্রতি সরকারেব বিশেষ দৃষ্টি আকর্ষণ করতে চাই। মাধ্যমিক শিক্ষাপর্ঘৎ বাতিল করে এই যে ব্যবস্থা কৰাৰ কাৰণ দেখান হযেছে যে পৱীক্ষা বিষয়ে মাধ্যমিক শিক্ষাপর্ব তাদেব কর্ত্তব্য সুষ্ঠুভাবে পালন কৰতে পাৰেন নাই এবং তার **স্ব্যবস্থা** করার জন্য একজন এ্যাড্মিনিষ্ট্রেটর নিযুক্ত করা হয়েছে, এবং মাধ্যমিক শিক্ষাপর্ষৎকে পুনর্গঠিত কবা হয় নাই, তাকে বাতিল কবা হয়েছে। কিন্তু যে পরীক্ষাব গোলনালের জন্য যে ক্রটী বিচ্যুতির জন্য পর্ষৎকে বাতিল করে দেওযা হয়েছে, সেই পরীক্ষার ফল বর্ত্তমান এ্যাড়মিনিষ্ট্রেটরএর সময় সেই সমস্ত কর্মচারী যার৷ এর আগেও এই সমস্ত ক্রুটীর জন্য দায়ী বলে সেই অনুসন্ধান কমিটির মতে সাব্যস্ত হয়েছে. তারা বহাল থাকার ফলে শুীযুক্ত গোপেন দাস মহাশয় এ্যাড্মিনিট্রেটার থাকা সত্ত্তে সেই পরীক্ষার ফল প্রকাশ করা সম্বন্ধে যে গলদ জ্ঞানা গিয়েছে সে বিষয়ে আমি সরকারের দৃষ্টি আকর্ষণ করতে চাই। তখন বলা হয়েছিল ভুত তাড়াবার জন্য সর্বে জানা হয়েছিল, কিন্তু দেখা যাচেছ সেই সরঘেতেই ভূত থেকে গিয়েছে। যখন পরীক্ষার ফল প্রকাশ করা হয় তার কয়েকদিন আগে এ্যাড়মিনিষ্ট্রেটর গোপেন দাস মহাশয় আমাকে এবং আরও অনেক লোককে জানান যে কোন একটা পত্ৰিকাতে সে ফল প্ৰাণ না করে কলকাতার একাধিক পত্রিকায় সেটা প্রকাশ করবার জ্বন্য সে সময় তা দেওয়া হবে। কিন্তু হঠাৎ একদিন রাত্রি ৯ টার সময় শোনা গেল একষাত্র

একটা পত্রিকা--অফিসে সে পরীক্ষার ফল ছাপা इत्रुड । त्रिमिन विकाल विला "(हेरियशान" ७ অন্যান্য পত্রিকার প্রতিনিধিরা শিক্ষাপর্যৎ অফিসে एए बिक्कांना करन करन कल प्राचना इरन: जर्थन তারা বলেন ৬।৭ দিনের আগে দেওয়া সম্ভবপর হবে না কিন্ত যখন রাত্রি ৯টার সময় শুনলাম যে বিশেষ একটা সংবাদপত্রের অফিসে এই পরীক্ষাব ফল ছাপা হচেছ তথন ভাবলাম পর্যতের সময় যেমন পশপত্র ফাঁস হয়ে গিয়েছিল তেমনি পরীক্ষাব ফল ব্যাপারে পুকুরচুরি হতে চলেছে। শেষে সেক্টোবিকে **हिनिक्शिन क**ड़ा इन. जिनि ज्थिन रक्किन रा पाछरक ফল পুকাশ করা হবে তা মাত্র ৫ মিনিট আগে জানতে পেরেছি। আমিও জানতাম না যে আজই ফল প্রকাশ করা হবে। সাড়ে নয়টার সময় গোপেন দাস মহাশয়কে টেলিফোন করা হল, কিন্তু সেদিন তিনি তাড়াতাড়ি খেয়ে শুয়ে পড়েছেন, তাকে পাওয়া গেল না। তখন ডেপুটি সেকেটাবি বায় চৌধবী মহাশয়কে টেলিফোন করা হলে তাঁর বাড়ীব লোক বল্লে তিনি বাডী নাই ষণ্টাখানেক আগে পাওয়া যাবে না। তিনি নাকি সেদিন বাড়ী ফিবেনই নাই, যে পত্রিকা অফিসে পরীক্ষার ফল ছাপা হচিছল হয়ত সেখানে তিনি বঙ্গেছিলেন। পবের দিন গোপেন দাস মহাশয়কে জিঞ্জাসা করলাম আপনি আমাকে বল্লেন সমস্ত পত্ৰিক। অফিসে ফল চাপতে দওয়া হবে কিন্তু হঠাৎ বিশেষ পত্ৰিকায় ছাপতে স ওয়া হল, আপনার সেকেটাবী পর্যন্ত জানতেন না াত ৯ টার আগে এটা কিবকম কথা? তখন তিনি বলেন--তা ঠিকই--এটা সেক্রেটারির পোর্চ-ফালিও নয়। এটা ডেপুটি সেকেটারীর পোর্ট-স তরাং **শেক্রেটারী** জানবেন কি দরে যে সেদিন ফল ছাপতে দেওয়া হবে ধবরের দাগজে।

ইংরেজীতে ছাপা হচেছ বাংলা ধবরের কাগজে,
বন ইংরেজী ধবর কাগজওমালার। ছাপতে
াবে না ? তথন আমার মনে হল অপূর্ব চল মহাশমকে
বিয়ে দিয়ে গোপেন দাস মহাশমকে য়্যাড্ মিনিট্রেটর
দেব বিসেরে যে দোঘ ক্রাট্ট শোধরাবার চেটা হচেছ
গই সব গলদ কথনও দূর হবে না যতক্ষণ পর্যাও
নকোয়ারি কমিটা যাদের দোঘী সাবান্ত করেছে
গই সব কর্মচারীয়া তাদের পদে বহাল থাকে।
ই সরকারের কাছে আমার এই নিবেদন যে সত্য
তাই যদি শিক্ষাপর্যতের ক্রাট্ট থাকে তাহলে অনুসন্ধান
বির্পোর্ট বিরপোর্ট বিরপোর্ট বিরপার্ট বে সব

কর্মচারীদের দোষী সাব্যস্ত করা হয়েছে তাদের অচিরে সবিয়ে ফেলুন। তা নইলে অপূর্ব চলের স্থানে গোপেন দাস মহাশয়েকে এবং গোপেন দাস মহাশয়ের জায়গায় পুধানমন্ত্রীকে য়াড্মিনিট্রেটর বসালেও এক গলদ শোধবাবে না। শিক্ষাপর্যতকে বাতিল করে দিয়ে এই মাইন সভায় সংখ্যাগরিষ্ঠতার জোরে যা কিছু মঞ্জুরী করুন না কেন, য়াড্মিনিট্রেটর-এর রাজত্ব বজায় রাখলেই যে ক্রাটি ও যে অব্যবস্থা। তা সংশোধিত হয়ে যাবে না।

[10-15-10-20 a.m.]

Pannalal Saraogi: Chairman, Sir, none—whether he was an educationist or a layman interested in the education of his wards-was happy with the working of the Secondary Education Board since its constitution, and the limit of patience was reached when the last examination was held. People lost all confidence in the Board who tarnished the fair name of Bengal which was considered to be the forerunner in the field of education all over India. Sir, everybody felt that something had to be done to save the Secondary Education from those who became Administrators overnight exercised their power from the Board so constituted. Sir, the morale of the students was completely broken, absolutely broken, and it must be admitted that under prevailing atmosphere, Sir, drastic steps were urgently called for. Under the circumstances, the Government did the right thing that I claim the people of the country wanted, the people wanted who pay for the piper, the people who provide for the upkeep of the educational institutions. Sir, the slogans of democracy have become very cheap these days and I found Sj. Nirmal Bhattacharyya during his speech the other day harping on the cheap slogans again and again. Sir, I confess I do not understand what are the implications of democracy, but I dare say that the cheap, arrogant insinuations against the Government and the Chief Minister are absolutely unfounded, if not mischievous. (Interruptions.)

Mr. Chairman: No interruption, please.

Si. Pannalal Saraogi: Sir, so far as the method and pattern of education are concerned, eminent educationists like you. Sir, who are conversant with the prevailing condition in vogue in different countries should enlighten us on the subject. But'as a layman I think in order to restore the confidence of the people it had become the bounden duty of the Government to make a fresh attempt to improve the state of affairs in education. I only request my friends that politics should not be allowed to dominate our discussion in the field of education. If that becomes so. God only help us.

Si. Debendra Sen: We would like to hear Sj. Kamini Kumar Ghosh who was a member of the Board.

[10-20-10-25 a.m.]

Janab Abdul Halim:

সভাপতি মহাশ্য, সেকেণ্ডারি এডুকেশ্য বিল **সম্পর্কে** মাননীয় সদস্য ভট্টাচাজী যে সার্কলেশন প্রস্তাব এনেছেন আমি তাব সমর্থনে অলপ কিছু ৰলবো। কাৰণ শ্ৰীযুক্ত ভটাচাজী, শ্ৰীমতি অনিলা দেবী ও শ্রীযুক্ত সভাটিপুষ বাষ মহাশ্য ভারা শিক্ষাবিদ এই শিক্ষা বিল সম্পর্কে অনেক কিছু বলেছেন।

আমি পথমে আমাদেব মাননীয় বধ মহাশয় যে কতকগুলি অভিযোগ এনেছেন এবং যে জন্য শিক্ষা-বোর্ডকে বাতিল কবে দেওয়। হয়েছিল সে সম্পর্কে বলবো। অভিযোগেব **মধ্যে** দিয়ে দেখিযেছেন বোর্ডে কতকগুলি দুর্নীতি ছিল, কাজে অনাচার, বিশঙালা ছিল, যথা সময সৰকাৰী নীতি পালন না কৰা, স্কুলে সাহায্যদানে অকৃতকাৰ্য্যতা এবং ক্ষল পরীকার পুণু বিভাট এবং যথা সময কুটিনি না কবা। দেশে শিক্ষা বিস্তারেব জন্য শিক্ষার পুনর্গঠন সকলেই চাম এবং এর জন্য শিক্ষাখাতে পুচুর অর্থ খরচ কবা হোক। সে কধা আমি এখানে পূর্বে বহুবার বলেছি এবং বাজেট আলোচনাব সময় প্রধান মন্ত্রীমহাশয়ও শিক্ষাকে প্রাধান্য দিযেছিলেন। দেশে শিকা বিস্তার হোক, সেকেণ্ডারি এডুকেশন সংস্কার ও পুনর্গঠিত হোক, এটা দেশবাসী সকলেই চায়। এবং তার জন্য এই শিক্ষাবোর্ডকে পুনর্গঠিত করা দরকার, কিন্তু সেটা না করে শিক্ষাবোর্ডের খাডে কতকগুলি কলিপত অভিযোগ চাপিয়ে তাকে বাতিল করে দেওয়া হল। শিক্ষাবোর্ডে যদি কতক-গুলি দুর্নীতি থেকেই থাকে, বা অক্তকার্য্যকারিতা

পাকে, তাহলে তাকে তদন্ত করে এই সমস্ত দুর্নীতি দ্র করে ঐ বোর্ডকে পুনর্গঠিত করাই সরকারেন উচিত ছিল। কিন্তু তা তাঁরাকরেন নি। সরকান কতকগুলি দুর্নীতির অভিযোগ এনে এইভাবে বোর্ডকে বাতিল কৰে দিয়েছেন, তাতে স্বভাবতঃই মনে হয এর ভিতর একটা গভীর ঘড্যন্ত রয়েছে। কাবণ তা নাইলে এই শিক্ষাবোর্ডকে এত তৎপ্রতার সঙ্গে কখনই বাতিল করতেন না। বোর্ড সংশ্রিষ্ট অনেক শিক্ষাবিদ সরকাবের এই নীতির বিরুদ্ধে ষ্টেটনেণ্ট দিয়েছেন। এবং বোর্ড এই সমস্ত কাজ সম্পর্কে শিক্ষাবোর্ডকে বাতিল করা ব্যাপারে সরকাবী নীতির তীবু সমা-লোচনা করেছেন। যে সমস্ত শিক্ষাবিদ বোর্ডের সঞ সংগ্ৰিষ্ট ছিলেন তাঁৰা এই সম্পৰ্কে যে বিবৃতি দিয়েছেন তা আমবা উড়িয়ে দিতে পাবি না। কিন্তু সরকাব সেওলি গ্রাহ্য কবেন নাই। অভিযোগ যদি থেকেও থাকে, তাহলে একটা নিবপেক ট্রাইব্ন্যাল গঠন কবে তার দার। তদস্ত করে তারপব তাকে বাতিল করা উচিত ছিল, কিন্তু সরকাব তা না করে অন্যায়ভাবে ৰোৰ্ডকে বাতিল কবেছেন এবং তাব কাৰণ হিসাৰে তিনি বলেছেন বোর্ডেব অযোগ্যতা। আমাদেব মতে এই বোর্ডকে বাতিল না কবে তাকে পুনুগঠন কৰা উচিত ছিল। সৰকাৰেৰ এই নীতি হচেছ স্বৈশাচাৰী নীতি। কিন্তু জনসাধানণ স্বৈশাচাৰী নীতি কোনদিন সমর্থন কবেন নাই এবং আমরাও এখান থেকে তা সমর্থন করতে পাবি না। গণতন্ত্র প্রতিষ্ঠান। আমবা প্রায়ই শুনি গণতান্ত্ৰিক নামে উনি চটে যান। মাননীয় সদস্য মহীতোঘ বায় চৌধুবী মহাশয়, উনিও এই গণতঞ্জের নামে ক্ষেপে যান, গণতদ্রেব কণা শুনলেই তিনি চোকে সবচে ফুল দেখেন।

Sj. Mahitosh Rai Chowdhuri: (আপনি বাশিষা ভক্ত, আপনার সেই ফাদার ল্যাঙ কি বলে?)]

আমি পশ্চিমবঙ্গে জনাগ্রহন করেছি, এবং এই পশ্চিম বাংলাকেই আমি ফাদার ল্যাণ্ড বলে মনে কবি এবং তারজন্যই সব কাজ কবি। আপনিও আপনার ফাদার ল্যাণ্ডএর জন্য সেই রক্মভাবে কাজ করুন। আমার শৈশব থেকেই আমি আমার ফাদার ল্যাণ্ড এই পশ্চিম বাংলায় বাস করছি, এবং সেইখানেই আমি কাজ করে আসছি (এ ভয়েস: হিয়াব হিয়ার।) বোর্ডকে যে সম্পূর্ণ গণতান্ত্রিক হিসেবে গঠন করা হয়েছিল তা আমি বলতে পারি না, কারণ এটাকে গণতাম্বিক প্রতিষ্ঠানন্ধপে গড়া হয় নাই। গভর্ণমেণ্ট যে বোর্ড গঠন করেছেন সেই বোর্ডে সরকারী প্রতিনিধি ছিল বেশী, কাচ্চে

গণতান্ত্রিক পুতিষ্ঠান হিসাবে যে বোর্ড গঠন করে- কথনও
ছিলেন তা মোটেই নয়। এইয়ে একটা পুতিষ্ঠান তাঁদের
তাকে অন্যায়ভাবে, অযৌক্তিকতার দোহাই দিয়ে না।
ধ্বংস করলেন তাতে মনে হয় সেধানে যতটুকু গণতন্ত্র ফুাডের
ছিল তার টুটি টিপে মেরেছেন। পুধানমন্ত্রী, তিনি দুনীতি

ছিল তার টুটি টিপে মেরেছেন। পুধানমন্ত্রী, তিনি গণতক্ষকে সহ্য কবতে পারেন না। গণতত্ত্বের কথায় তিনি ক্ষেপে উঠেন, সেইজন্য এই শিক্ষা বোর্ডকে বাতিল করা হ'ল।

পুশুপত্রেব ব্যাপারে যে অভিযোগ আনা হয়েছিল তাতে আমি মনে করি বোর্ডের প্রেসিডেণ্ট এবং অন্যান্য কর্ম্মচাবীর দায়িছে তাঁরা যে প্রেসে ছাপাতে দিতেন সেখান খেকে যে পুশুপত্র চুবী যায়নি তা কে বলতে পাবে। আমি বলবো এর দায়িছ প্রেসিডেণ্টের, এবং প্রেসিডেণ্টের ভুলের জন্যই ৫০ হাজাব ছাত্রেবা এবং অভিভাবকদেব যে শান্তি হবে এটা খুবই অন্যায়। সূতরাং তাদের উপর এই দোঘটা চাপিয়ে দিয়ে যদি শিক্ষাবোর্ডকে বাতিল কবা হয় তাহলে এটা খুবই অন্যাম হয়েছে এবং দায়িতইীনতাব পরিচায়ক।

অভিটু বোর্ডেব যে বিপোর্ট বেরিয়েছে ভাতে শিক্ষাবোর্ড সম্পর্কে ক্রটা বিচ্যুতির উল্লেখ আছে কিন্ত সেটা কাদেব অকর্মমাণতা ও অযোগ্যতার ফলে হয়েছে? এই অভিট্ বিপোর্ট যাঁরা পড়েছেন তারা দেখেছেন যে এই অভিটু বিপোর্টের মধ্যে অনেক জাযগায় সৰকাৰী দুৰ্নীতি ও মন্ত্ৰীদের অযোগ্য-তার কথা আছে। কিন্তু, কই, তাঁরা ত এই মগ্রীসভা ত্যাগ করলেন না! এই সমস্ত মন্ত্রীদের ত বাতিল কৰা হয়নি, তাঁৰা ত বিজাইন কৰেন নি! কাজেই শেই অভিযোগ ভিত্তিহীন। এর হিসাবে আমি বলতে চাই এই বোর্ড সরকারের কাছে ধ্ব অপ্রিয় হয়েছে; কাবণ বোর্ড সরকাবের কাছে শিক্ষকদের বেতন, মাগ্গিভাতা প্রভৃতির জ্বন্য সুপারিস करतिष्ट्रिलन, ठाँव। कठकछिन नारम्ब पर्यामा त्रका করতে চেয়েছিলেন, যেটা সরকার আদৌ পছন্দ কবেননি। তারপব স্কুল কোড্ সম্বন্ধে সুপারিশ করা হয় কিন্তু সরকার তাও পছন্দ করেননি। সেইজন্য তাঁরা সরকাবের নীতি মেনে না চলার কৈফিয়ংএ বোর্ডকে বাতিল করেছেন। কিন্তু অন্যান্য সরকারী কর্মচারী যাঁর। সেধানে নিযুক্ত ছিলেন, তাঁর। ত এর जना मागी।

মাননীয় সদস্য। মিসেস্ দক্ত বলেছেন যে বোর্ডকে কেউ চায় না। এবং তিনি "শ্বাধীনতা" পত্রিকার সম্পাদকীয় তুলে কোট্ করেছিলেন। কিন্ত এই "বাধীনতা" সম্পাদকীয় গতর্গমেণ্টের দুর্নীতি ও অন্যান্য ব্যাপার সম্বন্ধ বহু মন্তব্য করেছে, কৈ সেগুলি ত

কথনও তাঁরা গ্রহণ করেননি! গ্রতর্ণমেণ্টের দুর্নীতি তাঁদের চোথের সামনে তুলে ধরা হয়, তাঁরা দেখেন না। গত ট্রাম আন্দোলনের সয়য়, শিক্ষার ব্যাপারে, ফুাডের ব্যাপারে, বহু ব্যাপারে দেশের মধ্যে সরকারী দুর্নীতির জ্বন্য মা ঘটেছে, এবং যার উল্লেখ ''স্বাধীনতা'' সম্পাদকীয়তে হমেছে, কিন্তু সেই সকল দুর্নীতি দুর করবার জন্য তাঁরা ত কিছু করেননি। মাননীয় সদস্য মহীতোম রায় চৌধুরী মহাশয়ের কথা আর নাই বা বল্লাম। তিনি এতদিন এধারে ছিলেন, এখন ওধারে গিয়ে বসেছেন।

[10-25—10-30 a.m.]

8j. Sankar Das Banerji: Mr. Chairman, Sir.

Dr. Monindra Mohan Chakrabarty: So a lawyer has come to speak on education.

Sj. Sankar Das Banerji: It is better than a prejudiced educationist. I read with interest some of the speeches while travelling back to Calcutta. Although I have not had the privilege to be present in person to hear the interesting debate in this House I found some honourable members have accused Government on the ground that because certain recommendations had been made regarding increase of salary of teachers Government has vindictively taken this course. It was the case of my friend Sj. Bhattacharyya that it was not the members of the Board who were responsible for the trouble that has arisen but it was because the permanent staff had failed to do their duty. Now with regard to the first accusation that Government has done it vindictively I can say that that sort of argument appears to be puerile. Certain recommendations were made by the Board and anybody taking interest in what is going on will tell you that every attempt was made to implement the recommendations. When the teachers' salary was debated in this House I took it upon myself to place before the House certain facts and figures as to the payments that are made to teachers in other parts of India. I convinced the House, at least the reasonable section, that the salary that was being offered was the highest in India.

Sj. Satya Priya Roy: Unfortunately, the assurances and promises of the Chief Minister have not yet been implemented.

Government

Sj. Sankar Das Banerji: The honourable member was not present when I placed the real facts. The teachers, as a matter of fact, who are qualified to serve in this State are not qualified to serve in other States.

[10-30-10-35 a.m.]

That is the point with me which many of us overlook. It is obvious as I said. It is a puerile argument or shall I say it is malicious to accuse the Government of having vindictively superseded the Secondary Education Board. After all it is over matters arising out of selection of the books that proceedings have taken place in the Police Court. To the utter shame of the Secondary Education Board minutes were called for in the Police Court. All sorts of charges and accusations were made. tunately the thing ended peacefully and the persons who went to the Police Court came out successful. But it does not matter. It is a known fact that interested people have tried to advance their own causes forgetting their duties as members of the Secondary Education Board and therefore in the fitness of things Government suspended the Secondary Education Board.

Then Mr. Apurba Chandra was, I think, in charge of the Secondary Education Board—he is a most capable man, but one man cannot deliver the goods. Things were utterly mismanaged and, if I may say so, in a court of law-which I can never forget-I would have asked for a judgment on admissions against Mr. Nirmal Bhattacharyya. Mr. Bhattacharyya has conceded that there is trouble. He has admitted that there has been mismanagement but he has tried to shift the blame. He says "we are not responsible. The permanent Government officers have failed to do their job." (Sj. NIRMAL CHAN-DRA BHATTACHARYYA: I referred to the examinations.) You said as a

general remark. (Sj. DEBENDRA SEN: You were not present. How do you know that?) I take the trouble of reading what appears in newspapers and I have scrutinised them, and if the papers have wrongly reported I cannot help it. (Sj. Debendra Sen: You have been badly briefed). I would have expected zealous people like you to put in a contradiction on the following day. But since such a contradiction has not appeared in the papers, I take it for granted what appeared in a responsible newspaper was true. I do not know whether you are in the habit of reading newspapers or not but I read it in the "Statesman". (Sj. NIRMAL CHANDRA BHATTACHARYYA: In the "Statesman" the report was very meagre.) It comes to this: you admit that the Government servants failed to put up their reports. Therefore, the Board in its anxiety did certain things-

Mr. Chairman: Members cannot have a discussion over reports appearing in the newspapers.

Sj. Sankar Das Banerji: Very well, Sir, I withdraw. From my knowledge I say that these charges and accusations are entirely baseless. For a long time past regular trouble was going on. In view of the way things were managed, I think it was the primary duty of the Government to supersede the Board and introduce changes which would improve education. That is not a personal matter. It is a matter which not only concerns educationists but every citizen in India. It is our children that we are trying to teach and we want our children to be properly educated and that their future should be guided by educationists who do not wish to advance their political causes but who take genuine interest in education.

[10-35—10-40 a.m.]

Dr. Bijanbihari Bhattacharya: माननीय (क्यांत्रगान, नात्र

West Bengal Secondary Education (Temporary Provisions) Bill সন্দৰ্কে যে কথা হচেছ তাতে দেখেছি একদিকে

Bills

গভর্নবেণ্ট আর একদিকে বোর্ড--মাঝখানে দেশের লোক যেন আর কেউ কোধাও নেই। সেই দেশের লোক সম্পর্কে অন্ততঃ দেশের লোকের একটা মাত্র সম্প্রদায় সম্পর্কে দুটি কথা উল্লেখ কবেছেন মাননীয় বন্ধু অনুদাবাবু। তিনি দেশেব লোক---সংবাদপত্র সম্প্রদায় সম্পর্কে বিশেষ করে অনুভব কবেছেন। তিনি দু:ব প্রকাশ করে উল্লেখ কবেছেন যে সেকে-গুৰি বোৰ্ডএৰ পুৰাতন সভাপতি অপূৰ্ব চন্দ মহাশয়েৰ ষাওয়াব পর য্যাডমিনিষ্ট্রেটব রূপে গোপেন দাস মহাশয় যখন এসে উপস্থিত হলেন তখন আশা কবা গিয়েছিল যে বোর্ডেব কাজ আবও ভালভাবে চলবে কিন্তু দুঃধের সঙ্গে তিনি লক্ষ্য কবেছেন যে ঝোর্ডের ভালভাবে চলেनि । দ্টান্তস্বৰূপ উল্লেখ কনেছেন যে বোর্ডএর ক্ষল ফাইন্যাল পবীক্ষার ফল যথন বেরুল সেই ফল কেবল একটিমাত্র কাগজে প্রকাশিত হযেছে--এমনকি "লোক সেবকে" পর্যন্ত প্রকাশিত হয়নি ''লোক সেবকে'' প্রকাশিত হয়নি, "জ্ঞন সেবকে" প্রকাশিত হযনি, অনেক পত্রিকায প্রকাশিত হযনি। মাননীয় চৌধরী মহাশ্য যদি খবর নিতেন তাহলে দেখতেন যে ষ্টোসম্যান সেই সংবাদ প্রকাশ কববাব জন্য উৎসক ছিল না। যারা এই সংবাদ প্রকাশ কববাব জন্য উৎসুক নয় তাদেব প্রচাব সংখ্যা বেশী হলেও সেখানে প্রকাশ কববাব कान जारवाङन इस नि। यारमन शुक्रांत मःभा নিতান্ত অলপ গভৰ্নমেণ্ট যেখানে কেবলমাত্ৰ কাউকে অনুগৃহীত কৰবাৰ জন্য দিতে চান না বা বোর্ড সেই ফল প্রকাশ কববাব জন্য দিতে চান না সেই ক্ষেত্রে যদি কোন কুদ্ৰ পত্ৰিকাষ সেই ফল প্ৰকাশিত না হয়ে পাকে তাহলে নূতন বোর্ডের উপৰ বা ৰোর্ডের য়্যাডমিনিষ্ট্রেন্বএৰ উপৰ বিশেষভাবে কোন দোঘাবোপ করা চলতে পাবে এমন কথা বোধ হয় কেউ বলবেন না। আমি বোর্ডেব পক্ষে আব কিছুই বলতে চাই না কাবণ বোর্ড সম্পর্কে এবং গভর্নমেণ্ট সম্পর্কে এত কথাই বলা হয়েছে যে তাব পৰ আৰ কিছু বলা মানে পুনবাবৃত্তি ছাড। আব কিছুই নয়। কিন্তু বোর্ড সম্পর্কে অনুদাবাবু--যে বোর্ড সুপারগিডেড হয়েচে সেই সম্পর্কে--নিন্দা কবতে যেয়ে প্রশংসা করেছেন একগাই আমি অনুভব কবলাম। আমরা দেখে এসেছি ইউনিভার্সিটি খেকে বা পূর্ববর্তী বোর্ড খেকে যে সব বড় বড় পরীকা--মাট্রক, আই-এ, আই-এশসি, वि-এ, वि-এশসি, वि-कम न्या स्टाइए। —এই বছৰ অৰ্থাৎ ১৯৫৪ সালের এপ্রিল তারিখে कून कारेन्যान পরীক্ষায় পরীক্ষা দিয়েছিল প্রায় ৬০ হাজার ছাত্রছাত্রী, শুধু বাংলাদেশেই নয়, আন্দামানএও তাৰ পরীক্ষাৰ কেন্দ্ৰ আছে--এতদূর পর্যন্ত এক शक्षात्र यादेलवााशी (कट्सन भन्नीकात कल म्यान

মধ্যে – এপ্রিল হতে জুনের এয় সপ্তাহ – বেরিয়েছে।
এটা কি বোর্ড সম্পর্কে পুশংসার কথা নয় ? তৢধু তাই
নয় এর সঙ্গে আর একটা বিষয়ের সংযোগ আছে।
এই যে এতগুলো ছেলেমেরে—৬০ হাঞার ছেলেমেরের
তবিষ্যৎ এব সঙ্গে জভিত। এই যে সময় বেঁচে
গেল এতে ছেলেমেরেরা কোগায় পভবে – কলেজে
পভবে না কাবিগরী শিক্ষা নেবে – তাবা ভালভাবে
মানুষ হতে পারবে, কোগায় ভত্তি হবে – এভাবে য়ে
সময় বেঁচে গেল এটা ভাতির পক্ষে বভ গোজা কথা
নয়। এটা জনুদাবাবুব উপলব্ধি কবা উচিত ছিল।
যদিও বোর্ড মনে কবেছিল যে আবও অধিক সংখ্যক
কাগজে ফলটা ছাপতে দেবে কিন্তু তাতে আবও সময়
অপচম হত। তাই বোর্ড সেটা করেন নি। বোর্ডের
ছেপুর্টি সেক্রেটাবি যিনি এখানে অনুপস্থিত আছেন তাঁর
সম্বন্ধে মাননীয় অনুদাবাবু কমেকটি কথা বলেছেন।

[10-40—10-45 a.m.]

এই বোর্ডের যিনি ডেপুনি সেকোনবী—সমস্ত পৰীক্ষাৰ কাৰ্যাৰলী পৰিচালনাৰ দায়িত্ব ভাঁৰ উপর। পৰীক্ষা পরিচালনা সংক্রান্ত যাবতীয় গোপনীয় কাজ যেমন মাঁর৷ প্রশাপত্র তৈবী কনবেন, কোখায় শেণ্ডলো ছাপা হবে, কবে পবীক্ষাৰ ফলাফল বেকৰে ইত্যাদি সমস্ত দায়িত্ব ডেপুনী সেক্রোনবাই পালন করে খাকেন। কাজেই যে সমযে প্রীকার ফল পুকাশ কববাব কথা, সেই সময়টা যদি তিনি না জানিয়ে থাকেন, ভাহলে তো তিনি মহৎ কাজই কবেছেন। এই মন্ত্ৰপ্তিৰ জন্য তিনি (অনুদানাৰু) ব্যঙ্গস্ততি কবে নিশাচছলে প্রশংসা কবেছেন। আমিও তাকে অভিনন্দন জানাই। তাবই জন্য অলপ-সমযেৰ মধ্যে ছাত্ৰবা পৰীক্ষাৰ সংবাদ পেয়েছে। এই পবীক্ষা কবা ছাড়া আরও কিছু কিছু দায়িত্ব যাতে বোর্ড পালন কবতে পারে, তাব জন্যই নতন সেকে গ্রাবী এডুকেশন কমিশন নিযুক্ত হয়েছে। তাকে অপদার্থ বলে উড়িয়ে দিলে তাব উপব অবিচার করা হবে। সেই কমিশনের সদস্যেরা সবই বাংলাদেশের लोक। य वाःलोरमगरक वहुता मामात्रलागिः, कामात्र ল্যাও আধ্যায় ভূষিত করেছেন সেই বাংলাদেশ সম্পর্কে----

(At this stage blue light was lit.)

আর কয়েক মিনিট সময় চাই। বাংলা দেশের মাঁরা বিপ্যাত লোক বাংলাদেশেব শিক্ষার সঙ্গে তাঁদের কোন যোগ নাই একথা বললে তাঁদের উপর অবিচার করা হবে। তাঁদের কেউ দূরে পাকতে পারেন তাই বলে শিক্ষার সঙ্গে যোগ নাই এটা বলা অন্যায়। তাঁদের মধ্যে একজন স্বর্বভারতীয় শিক্ষাব সঙ্গে যুক্ত ছিলেন তিনি হচেছ্ন অনাধ নাধ বসু। তিনি [Dr. Bijanbihari Bhattacharya.]
এক সময়ে কলিকাতা বিশুবিদ্যালয়ের সজে যুক্ত
ছিলেন, বাংলাদেশের শিক্ষাপুণালী সহছে তিনি
বিশেষজ্ঞ, একথা কেউ অস্বীকার করতে পারবে না।
তিনি কমিশনের একজন সদস্য ও সচিবও বটেন।
যে ভার নিয়েছেন দুজন শিক্ষবিদ, তাঁদের সহযোগিতায়
যে কাঞ্জ হবে, তা অনোর হারা হবে না। তবে
কেন আনরা তাঁদের উপর অনাস্থা পুকাশ করবো?
[10-45—10-50 a.m.]

অনুদা বাব ম্যাভমিনিষ্টেটএর কথা বলেছেন। এই ম্যাডমিনিট্রেটর কত দিনের জন্য ? গভর্নমেণ্ট তো তাঁকে চিবস্থায়ী পদ দিয়ে নিযক্ত করেন নাই। এই নৃত্ন কমিশনের রিপোর্ট অনুসারে নৃত্ন একটা বোর্ড তৈরী করে দিয়েই ম্যাডমিনিষ্ট্রেটর চলে যাবেন। ইতিমধ্যে ম্যাভিমিনিষ্ট্রেটর যে কাজ কবেছেন, তাতে ত তাঁব কোন দোষ দেখছি না। বাংলাদেশেব লোক অভিভাবক পিতামাতাব কথা বলছি। এই সভার মধ্যে অনেকে পিতা ৰা মাতা নন--হয়ত সেটা সময় ও স্যোগ না পাওয়াব জন্য। আমাদের সকলেব কিছু না কিছু রকম অভিভাবকতা কবতে হয়েছে। সেই হিসেনে চিন্তা কৰে আনি বলৰো যে এই পৰীক্ষাৰ পৰ্বে থেকে বোর্টের প্রতি অন্ততঃ কাবও কোন বিধেঘ নাই, বা নিন্দা কববাবও কথা নাই। দু-একটা ক্রনীব कथा ष्रामि त्यस्य উल्लाअ कवरता। त्यमन ग्राप्ट-मिनिट्रिटेटन जागान भन, जिनि यमन गनिश निरम्हन, অসুবিধাও দিয়েছেন। কাদেব সুবিধা চিন্তা কবে দেখুন। ম্যার্ট্রিক ৬০ হাজাব ছেলে-মেয়ের প্রায় শতকবা ৪৫জন ফেল কবেছে। দের যাাডমিনিষ্ট্রেটব তাদেব জন্য ইতিমধ্যে এমন একটা কাজ কবেছেন, যাব জন্য আমবা অভিভাবকবা ধন্যবাদ না জানিয়ে পাবি না। তিনি এই ফেল করা ছাত্র-ছাত্রীদেব জ্বন্য কমপার্টমেণ্টাল ও সাপ্রি-মেণ্টারী--এই দুটো পৰীক্ষাৰ প্রবর্তন করেছেন। তাতে দেশেব ২৫ হাজার ছাত্রছাত্রীর একটা বছব সময় বেঁচে যাবে। যাবা একটা বিষয়ে ফেল করেছে তাদেব কমপার্টমেণ্টাল পবীক্ষা দিতে দেওয়া হযেছে সেপ্টেম্বরের ২৩।২৪ তারিখে। যে ছাত্রছাত্রীদেব এক বছর বসে খাকতে হ'ত, তাবা যাতে ভাল কবে পডাগুনা কবে ঐ একটা বিষয়ে কমপার্টনেণ্টাল পরীকা দিমে সামনের বছর কলেজে ভতি হতে পারে এবং যাতে এই ম্যাডভাণ্টেজ স্বাই পায় ইউনিভাসিনীব ভাইস-চান্সেলার য্যাডমিনিষ্টেটরের উপদেশ মত তার সুযোগ দিতে সম্মত হয়েছেন। তাঁরা উভযে মিলে একমত হয়ে সব কাঞ্জ করছেন। তার জন্য বোর্ডের প্রতি সমস্ত বাংলাদেশের জনসাধারণ কভন্ত থাকবে।

আর একটা হচেছ সাপুনেণটারী পরীকা।
সেটাও একটা মন্ত সুবিধা তারা দিয়েছেন। তাঁরা
অবপ সময়ের মধ্যে কিছু কাঞ্চ কবে কেলতে চান।
কারণ আগামী বছর ছাত্রদের সিলেবাস বদলি হবে।
বোর্ড যে একই বছরের মধ্যে তিনবাব পরীকা নিবার
দায়িত্ব গ্রহণ করেছেন এটা বড় সোজা কাজ নয়।
আমরা অভিভাবকরা তার জন্য খুসীই হয়েছি।
বোর্ডকে সুপাবসিড করে ভাল হয়েছে কি মন্দ হয়েছে
সে বিচার আপনারা করেছেন। আমি বলব এটা
ভালই হবেছে।

পাইভেট পৰীক্ষাৰ্থীদের জন্য যে ব্যবস্থা তাঁরা করেছেন য্যাভমিনিষ্টেটবেব হাতে সমস্ত ক্ষমতা সমস্ত ভার গভর্নমেণ্ট তুলে দিযেছেন, সে সম্পর্কে আপনাদের কাছে দু-একটা কথা নিবেদন করছি। প্ৰাইভেট পরীক্ষাৰ্থীৰ জন্য যে টেটেৰ ব্যবস্থা হয়েছে, তাতে খুৰ অস্থিধা হযেছে। সানা বাংলা দেশে মাত্র গুটিকয়েক কেন্দ্র দেওয়া হয়েছে তাদেব জন্য। এর ফলে দেশের লোক অতান্ত বিক্ষম হয়েছে। এই কথাটাই আমি এখানে নিবেদন কবছি। মনে ককন মেদিনীপরে মাত্র দটি বালিকা বিদ্যালযে কেন্দ্র কবা হয়েছে, যাঁবা সদুব মকঃস্বলে বাস কবেন যেমন ঝাডগ্রাম, মহিঘাদল, কাঁথী, মাননীয় সচিব মহাণয় কি 🚁লতে পাবেন তাঁদেব কত মাইল দব থেকে আসতে কত অস্বিধা হ্যাং দ্বীন্ত হিসেবে আমি মাত্র একটা জেলাব কথা উল্লেখ কবলাম। সমস্ত বাংলাদেশের সমস্ত জেলা সম্পর্কেই একথা বলা যায়। হয় প্রাইভেট পবীক্ষা তলে দিন, আব না হয় যদি পাইভেট পরীক্ষা রাখেন ভাহ'লে এট পাই**ভে**ট পরীকার্থীদেব স বিধা দে ওয়ার ব্যবস্থা বিশেষ করে মেয়েদেব সম্পর্কেট এই কথা বলছি. **(मर्गिव लाक्छ जांरे मानी कवर**्। श्राहेरक्के वानिका পৰীক্ষাৰ্থীনীবা ২৫।৩০ মাইল দব খেকে চাল চিডে বেঁধে বাবাকে মঞ্জে নিয়ে পবীক্ষা কেন্দ্রে উপস্থিত रतन-- এটা বিবেচনার জন্য গভর্নমেণ্টকে জনরোধ করছি ও এই বিল সমর্থন কবছি।

Sj. Debendra Sen: Mr. Chairman, Sir, I have tabled an amendment for circulation of this Bill for the purpose of getting an impact of public opinion because in my opinion this Bill involves certain issues which are of a fundamental and serious nature.

[10-50—10-55 a.m.]

In the preamble of the Bill, I find, it is written "Whereas it is expedient to re-organize the administration of the Secondary Education

111 West Bengal". The first object of the Bill is to re-organize the administration of Secondary Education. And if you want to re-organize Secondary Education, you cannot do it in hurry and haste. You have to take the opinion of the pubhe, you will have to circulate it and unless you do it you will come to grief as you have come to grief with regard to the previous Act. The second object of the Bill is, pending such re-organization, to supersede the Board of Secondary Education. So the purpose of the Bill is twotold-the one is destruction and demolition and the other is struction. Now, so far as this Bill is concerned, you have given us only how you want to demolish, how you want to destroy it. So far as the re-organization concerned, you part is not given us any idea of it, and since you have not given us that idea we are apprehending that something is going to be done in secret and the whole Secondary Education of West Bengal is in jeopardy. That is my first point that I want to bring before you. Sir, the second point that I want to bring out is that assuming that the Board was corrupt, assuming the Board was inefficient, assuming the Board was guilty of mismanagement, what was the necessity for taking steps in a hurry? What was the reason for not giving any notice, for not giving any charge-sheet? What was the necessity in not taking this House into confidence? That is the only point that I want to emphasise. Let me assume that the Government is right to supersede. I will not object to that. Let me assume that this Board was guilty of the charges against it. But what was the necessity of acting in a hurry? is not that this Board is a set of black-marketers and they will fly away if immediate action is not taken. It is not that this Board is agang of dacoits and unless you Pounce upon them overnight they will all fly away. It is not that those members of the Board are composed of certain conspirators and unless you seize them today

and now they will fly away. That is not the case. So it is difficult for us to understand what was the necessity for taking such a hasty step. In the two Houses when we had tried to speak against this Board we were hushed. Sir, I will give you one or two examples. In 1953 Sj. Ganesh Ghosh in the Assembly tried to say "মাধ্যমিক শিক্ষা বিষয়ে যে দুৰ্নীতি দেখা দিয়েছে, সে বিষয়ে ব্যবস্থাই কবা হয়নি।" Again in 1953 there was a point of vilege raised in the Assembly by Shri Jyoti Basu and Dr. Srikumar Banerice on the point that they wanted to discuss the policy of the Government with regard to the Secondary Education Board. was not allowed. That was hushed. And it was then said that "it is an autonomous body and because it is an autonomous body you cannot say anything against it". The stand then taken was of democracy, that you must not come to violate democratic rights of that body. The Chief Minister is always eloquent when he talks of democracy but in 1953 they took their shelter on the very fact that it is an autonomous body and that this Council has no right to say anything in this matter. In 1954 during the hudget session Shri Mohitosh Rai Choudhuri who was then physically on this side at least -- (Laughter by opposition members.)

The Hon'ble Dr. Bidhan Chandra Roy: What is the meaning of this laughter.

Dr. Monindra Mohan Chakrabarty: It means he was physically on this side and mentally on the other side.

Sj. Debendra Sen: Sir, I do not see the necessity of getting irritated over this.

Sj. Nirmal Chandra Bhattacharyya: Is the Chief Minister going to control even our laughter. Has dictatorship gone to that extent?

Mr. Chairman: The point is that you can be satirical when you laugh, and at times you can be insulting also.

8j. Nirmal Chandra Bhattacharyya: I am glad that you are not giving any ruling on that.

[10-55—11 a.m.]

Debendra Sen: In 1954, during the Budget Session, Sj. Mohitosh Rai Choudhuri tabled the following amendment to Governor's Address "(b) There is no indication of any desire to do away the unwanted practice of monopoly publication of text-books by the Government, West Bengal Secondary Board of Education and the University." He dilated on this question for some time. He tried to do something but could not succeed. He was not given an opportunity at that time. He only tried to bring this question before the House. No steps were taken. No reply was given to his point. The only information that was given was that it was an autonomous body and he could not say anything against that. This went on up to April. On the 12th May comes this supersession. happened during this period? If the Board was corrupt, did it become corrupt only during this period, or it became corrupt through a process of time? Was there incompetence before, or it was exhibited during this period? Why we were not taken into confidence in the matter that things were not right in the Board? If the Ministry and the Cabinet could not do anything in the matter, if they were inefficient, corrupt and incompetent, why we were not told about it in the Budget Session? (The Hon'ble PRAFULLA CHANDRA The matter was being investigated at that time.) Sir, on the opening day of the Budget Session, His Excellency the Governor said "My Government are making strenuous efforts for the spread of education far and wide and an idea of the tempo of advance....." The Governor did not use ordinary words as his idea was that his Government had done very big thing and so he used "tempo" "can be gauged from the fact that, whereas in 1948-49 Rs. 2.56 crores were spent on education, the corresponding figure during 1953-54 will be

Rs. 4.94 crores and during the next vear the figure is likely to touch Rs. 6:6 crores." So, Sir, there is eulogy for every department of education—Primary, Secondary and (The Hon'ble University. PRAFULLA CHANDRA SEN: have shown the expenditure on education.) You have wasted the money altogether. Why do you ask for money? You have no right to ask for money when you waste our money. You cannot utilise the money properly. It is not that we always are against Government when they supersede a particular body or association. Our feeling is that we are not taken into confidence as to why the things turned bad in that organisation. Dr. Roy, the Chief Minister, in his Budget speech said that "of the increase in revenue expenditure the largest is under education and is to the extent of Rs. 1:66 lakhs". So, for a corrupt body, for inefficient an administration have been you taking more and spending more. That is what we cannot understand. We heard that the Secondary Education Board was not functioning well and that is why we brought to the notice of the Education Minister some charges but he did not listen to them at that time. Now. all on a sudden you have superseded this Board. We do not allow you to do so. We should be giver sufficient time to judge whether a particular body has been really at fault or not.

[11—11-5 a.m.]

So all on a sudden why these thinghappened? That is why doubts arise in our mind. That is why we say that either it is vindictive or I should say that there is no sense of responsibility and no seriousness on the part of the Government. They are acting just like a gambler. They are acting just like a child; if you give it a knife, it will try to cut anything that comes across. Here also the Cabinet was vindictive, it can be explained only in that way. Otherwise how is it possible that throughout two or three years you have not given us even an indication, and now you come all

on a sudden and say that it is a body which you must cut out.

Mohitosh Rai Choudhuri: Experience has shown that.

Dr. Monindra Mohan Chakra-barty: You were sleeping all the time. You also did not know that before.

Sj. Debendra Sen: I find that perhaps both these causes were acting: one is that idea of vindictiveness, another is that want of seriousness, that want of sense of responsibility, because they took these four or five months. Sir, I find that no less than nine Ordinances have been promulgated between May and this month. anything is in spate in West Bengal, it is not the rivers there in the northern part of our province, but these Ordinances. It is difficult to follow what is the meaning of promulgation of so many Ordinances. In August there were two Ordinances on the same subject of That is how this bargadars, Legislature is being asked to give ditto to Ordinances. There is no original Bill before us. All the Bills that have come up before the Houses arise out of these Ordinances. We resent it, we say it is a travesty of this rule by Legislature, it is a travesty of democratic system of Government. That shows that the Cabinet Ministers do not give time to it, they have no heart for it. They pass an Ordinance as they like and come before us for legalising that Ordinance. We resent it.

Sir, another object of this Bill is re-organisation about which we have not been given any idea. That is another aspect of the problem which creates apprehension in our mind that, if the re-organisation of the Secondary Education Board is done in the conclave of the Secretariat without consultation of the public and the Legislature, that will be another tragedy. We want to prevent that. I doubt, Sir, whether this Bill is at all in order because it does not follow the preamble. I would like the "Pandits" to look into that aspect of the

problem because the preamble says that you want to re-organise, but in the Bill you do not say anything with regard to re-organisation. Whether at all the Bill is really tenable in law is also a question that we would like to raise. I am not competent to give my opinion on that point, but those who have drafted it have not given thought to it. You have put in an objective within the preamble but you do not follow that objective at all.

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[11-5—11-10 a.m.]

You keep it pending for future decision. Whether that is allowable I want your verdict on that point.

Sir, in the end I would like to say that the remarks made by Dr. Bhattacharya are rather in our favour than against us. Sj. Mohitosh Rai Choudhuri raised a question of principle that the control of primary and secondary education should be left to Government. might think it in that way but it is a matter of principle; that is why it is necessary that the Bill should go for circulation. You cannot decide it yourself though you may be a genius. You cannot decide whether the Secondary Education of West Bengal is to be entirely controlled or not. Government There are other people who must have a say in this matter and for this the Bill should be sent for circulation.

The Hon'ble Dr. Bidhan Chandra Roy: I do not want to say much on the issue before the House except that I will refer to certain remarks made by some of my friends on the other side. Si. Satya Priya Roy has said that what I said in February has been implemented. First of all he mentioned the names of persons who formed the Commission. He also mentioned that they have no faith in the Commission. There was an additional statement made requesting people not to co-operate with it. But the Commission will go along. It is going on to find [The Hon'ble Dr. Bidhan Chandra Roy.]

Government

out, to determine the nature and the type of education to be given to the students of West Bengal. Sir, he has challenged the qualifications of all members of the Education Commission. He may be a leader of the teachers but I do not know whether he knows Dr. B. Dey. Dr. Dev was the Director of Public Instruction, Madras. He has been in close touch with the educational movement in the country. I have on several occasions met him in the past in 1940, 1942 and 1944. I was struck by the amount of knowledge he possessed with regard to educa-Shri J. matters. Mukherji who has been appointed in place of Mr. Chatterji, who could not come because of his preoccupation, has been an old student of the Calcutta University and has been in close touch with it. has got as much right to talk on Secondary Education as my friends Si. Nirmal Bhattacharyya and Dr. Chakrabarty happen to possess. He has been in the administration in various capacities and he has boldly come forward to give his The other member is Shri Anath Basu. I do not know of any man who knows more about Primary and Secondary Education than he does. He is now a member of the Central Advisory Board of Education at New Delhi. He has been connected with the educational system in this country for many years before he went to Delhi.

Sir, I am only trying to show that the objection of Sj. Roy seems to be preconceived. Their idea is to oppose whatever may be the nature or conditions for such opposition or whether there is any virtue or value in it. They are entitled to do so but there is nothing to be gained in this. We also approached other educationists who have also intimate knowledge of educational systems in Bengal.

[11-10-11-15 a.m.]

We could not get even after prolonged discussion and therefore we had to wait until July before announcing the Board. The main

point to which I might refer again in short is that in January this year the Education Department received a report from the Secondary Board on the Audit Report which was sent in April, 1953. This remark of the Finance Committee of the Board is dated some time in January, 1954. It was sent to the Department some time in February but the Department did not take any action immediately because they wanted to know what was happening in the meantime. As I said before the Secondary Education Commission Secondary Education Commission report came before us, presided over by Chancellor Mudaliar of Madras. This Commission was composed of eminent educationists who travelled all over India and I find that this had taken the evidence of 1,500 people and associations and organizations before coming to a decision, and what is the decision that they said about the Board? It runs thus: "In this connection we wish to point out that in some States the Boards which have been recently constituted for the purpose are unwidely in number and some of the interests represented on it are not likely to promote efficiency or harmony. We consider that if Secondary Education is to progress on right lines, the Board must be a compact body mainly composed of experts whose function would be limited to the formation of broad policies. The Board is not expected to function as an executive body which is the province of the Director of Education." Sir, that is at complete variance with the scheme of Secondary Education Act which we have passed. I had mentioned in the Assembly the fact that when we did put in our Bill before the House we had democracy in spate. We allowed full liberty to the members of the different Boards, Committees and Executive Councils, etc., to do as they liked. As I said before this particular opinion was accepted by the Government of India and the Government of India wrote to us as to what we were going to do with regard to implementing the findings of the Secondary Education Commission. It was therefore necessary for us to know what had happened and to see what

could be done with regard to the findings of the Secondary Education Commission. Meanwhile the emergency arose because of the examination crisis. I am not here either to blame somebody or to exculpate somebody else. It is for the enquiry that is being made to find out how the leakage took place. But the fact was that something had to be done. The Board had been given executive authority and it was necessary in view of what the Commission suggested to determine whether the Board should function as an executive body at all. Therefore it was desirable that in order not to dislocate the working of the Board and yet to get the transformation as soon as possible, as suggested by the Commission, we thought it best to get the Board controlled by an individual person in the shape of an administrator.

[11-15—11-20 a.m.]

I now reply to Sj. Ray's suggestion who pointed out that no schools should be given recognition unless they have got Rs. 30,000 as a reserve. As has been suggested by the Commission over which Shri Mudaliar presided I would certainly say that we will accept the proposition—subject to our financial position we will have to accept that for the very simple reason that as far as I have gathered practically every other State insists upon a reserve fund of Rs. 20,000 or Rs. 30,000 for a school. Whereas I understand that in our Province most of the schools have not even a reserve fund of Rs. 1,000. This is a most unhappy thing. Education is the primary duty of any Government and it is the duty of Government to see that good schools are started with sufficient reserve funds.

Sir, my friend Shri Nirmal Bhattacharyya tried to cut jokes when he said that I was fond of supersession, that I was an enemy of democracy, a Kalapahar. I do not mind anything. After all in a place like this everybody casts a fling at the other. Sir, I do not

know history as to who exactly was Kalapahar. But I think he was a man who destroyed certain things. I am glad that I have been instrumental in destroying vested in-terests in public bodies. I am glad if I have taken any step to kill all attempts on the part of such vested interests who utilise public organisations for their own selfish ends. I am glad if I have tried to eradicate all types of nepotism, favouritism on the part of members of these public institutions. I will try to put an end as far as possible to all cliquishness, all secret manœuvrings, all party squabbles, all local intrigues in all public institutions, and in doing so if it is necessary to destroy such institutions it has to be done in the public interest. I am not accustomed to that sort of democracy which protects self-interest. I find Professor Chakrabarty saying that the grants given to the 52 schools amount to only 5 per cent, of the total amount. Even if it is 1 per cent, or zero per cent., wrong is wrong. You cannot exculpate this simply because it is 5 per cent. He has admitted that it is wrong. Sir, democracy has been defined in many countries in many ways. In some country democracy means dictatorship. do not believe in that. I believe in a democracy which gives full liberty to every individual and that is why we have given the Secondary Education Board so much freedom. But I am sorry to say that the Board has been found wanting. When I get the opinion of experts who have travelled all over India we shall then think what should do. We have asked the Commission therefore to give us their opinion to what extent the findings of the Secondary Educa-Commission - the Mudaliar Commission—could be given effect to in this Province considering our position. In any case, I hope and trust that people will remember that democracy does not necessarily mean protection of vested interests. I hope it will be remembered that cliquishness, party squabbles and so on are trying to through the veil of democracy

[The Hon'ble Dr. Bidhan Chandra Roy.]

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their personal interest and personal advancement. Sir, I have nothing more to say.

[11-20—11-25 a.m.,]

I can say this much that I yield to no one in this House in my anxiety to see that Secondary Education is placed on a proper basis. Money is not the consideration but money must be well spent, and the plan must be well laid and the machinery that we appoint for the purpose of utilising that fund should be such that it would not create any chaos or allow any particular vested interests to have their full play in the matter.

With these words, Sir, I support the provisions of the Bill.

Hon'ble Pannalai Bose: Mr. Chairman, I have listened to the speeches, and one particular point that has been taken by many of the honourable members is that no action of the sort against the Secondary Board should have been taken seeing that section 55 of the Act was open. I will deal with that point last of all. In the meantime I shall deal with some of the particular points taken by some of the members. I take it that the arguments of Professor Bhattacharvya that schools were recognised and that aid was given in breach of the rules are of course matters of not much importance. I am not surprised to find that the Secretary of the All-Bengal Association who is a Teachers' member in this House has said that if we take the rules of recognition strictly there would be no schools left, and he has also said that the grant-in-aid rules were also strict and that they had to be violated. I take it therefore that the grant-inaid rules have been violated, and it has not been denied that they have been violated.

8j. Satya Priya Roy: Are they still being violated?

The Hon'ble Pannalal Bose: I think you said that for grants-in-aid, if the teacher-pupil ratio is 1:20, it would be impossible for

any school to get grants. Now, I ask this question: is it open to the Board, in legal phraseology, to lock up the law? That means "we should be free to do whatever we like". As to the rules of recognition one word is enough, and that is that regulations and rules have to be framed by Government. I have got before me a statement which shows that regulations were in fact made and passed in many cases, and rules were made in more cases than regulations. But it would be untrue to say that the School Code which is nothing but a series of regulations has been, to use a word used by a newspaper, It has not been pigeonholed. Various portions of pigeonholed. it were examined, in fact the whole of it was examined and certain suggestions were made, and this School Code was sent to the Board for an expression of opinion on the modifications that were made. But when you say that we are handicapped because there are no rules and regulations, I am surprised because you know that most of the sections of the Code give you powers to be exercised according to regulations—it does not greater freedom. The object of the regulations was to prevent any caprice so that powers may be exercised according to rules. Now, in regard to the powers to recognise a school, to grant aid, and so on, the Board began by saying that pending regulations they were going to follow the University rules.

[11-25-11-30 a.m.]

I ask if they have followed the University rules. They have not. On the other hand they passed a set of rules for themselves. I have got these rules here. Conditions recognition—the teaching staff should have at least 4 Graduate teachers one of whom, the Headmaster, must be a trained Graduate and another shall be a Science Graduate: there should be no Matriculate teacher on the teaching staff of a High School, Accommodation should be 8 sq. ft. floor space to be provided for each pupil in a class room; the roll strength at

a High School should not ordinarily be less than 1 teacher to 20 pupils from classes V to IX and the reserve fund should be at least Rs. 1,500.

Mohitosh Rai Choudhuri: Who made these rules?

Bose: The Hon'ble Pannalal These rules were made by the Board in 1952-53.

Chandra Bhatta-Nirmal charyya: Were they approved by the Government?

Hon'ble Pannalal Bose: They were not sanctioned by Gov-ernment. The inspecting officers were asked to submit reports on schools as to whether they should be recognised or not. They follow-ed these rules but even against these rules made by the Board itschools were recognised. Somebody has said that the Directorate was late in submitting their report. The charge was that recognition was granted not for want of reports but against the reports.

As regards the powers of an autonomous body I pointed out the other day in the other House and also here that an autonomous body is a body which has full powers within the four corners of the Act. They must act according to the rules and regulations. The rules and regulations give the Board power to recognise, to grant aid, In the meantime the Board was behaving as if they were alto-gether free. That is the grievance, that is the charge that we have against the Board. But the principal reason why the Board has been superseded is not merely this but there are many others which I read from the Press-Note. For example, I take the two points mentioned by Sj. Satya Priva Roy -one about regulations and the other about the audit report. Government recognised that as the Board was newly constituted very strict notice should not be taken of what it had done in 1951. But when it was noticed that a fee of Rs. 20 was being realised from a large number of candidates and the total amount was less in the books it could not be overlooked. It was

also found that before the grantsin-aid rules were framed the President sent half the amount to schools, which they used to receive, without considering whether the schools even satisfied the University

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[11-30—11-35 a.m.]

We thought that the schools might be in difficulty and for an autonobody new to its work it might be overlooked. this we found, not then, but recently when the audit report came. The audit report at least has produced some good, namely, when the grant-in-aid rules were published in October, 1951, what happened in that year? The rules were very clear—"it must be a well-conducted school". We have been told that this is a very vague rule. I suppose that anybody having to do anything with education knows what is meant by a well-conducted school. Then another rule is that there must be satisfactory personal relationship between the teachers and the taught. Anybody can understand that rule, I think any sensible man can understand that rule. We have heard that 1 to 20 is a very small ratio. We have put that in order that the teachers might know the students. One to twenty ratio would be probably the best possible or the highest ratio we would think of. That being so when you say that these rules were deliberately vague, as has been urged that they were vague I do not agree. You say otherwise, most of the schools would get no aid at all. And then I find the aid was going according to the resolutions to had schools; then when it is said that this was all right I would say that the Board was not doing its duty.

Another point was taken by Sja. Anila Debi. While I appreciated her eloquence, I must say that she was wrong in all her facts just as our Professor Bhattacharyya. In course of his address he made a statement that for every 30,000 inhabitants of this State there is only one Secondary School. I believe he made a statement of that kind at Berhampur when he was presiding

[The Hon'ble Pannalal Bose.] over a function of the All-Bengal Teachers' Association. He ought to have known the population of West Bengal, and the All-Bengal Teachers' Association at least knows if they know nothing else, how many schools there are in the State and I know that there are 2,700 schools. Sj. Nirmal Chandra Bhattacharyya says he refered to High Schools only exculding Junior High Schools. If you referred to High Schools only, then the total number of High schools is 1,400. Divide $2\frac{1}{2}$ crores by 1,400. It works out at one school for 17,857 persons, not 30,000. How a public man who, it may be supposed, has some idea of weight of evidence, should have uttered a statement of that kind so as to produce the impression that the Government was not doing its duty-I do not know and I do not suppose that there was any other idea behind this statement. Similarly, Sja. Anila Debi says "What is our fault, is it our fault that we are disobeying official directions?" Similarly regulations have not been approved. That point has already been dealt with.

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[11-35—11-40 a.m.]

She said there was a scheme for "unnayan" and this point was again touched by Professor Chakrabarty. She has enquired whether Government has paid any money for it. She has pointed out that certain proposals were sent to us by the Secondary Board of Education so that students may be examined by doctors. That means a scheme about the medical examination of students, tiffin, etc. Section 36 just mentioned mentions about the powers of the Board—prescribing of regulations, etc., for the schools. There is no mention of development plan in it. By development, I think she meant improvement. (Dr. Monindra Mohan Chakra-BARTY: It is section 34 which deals with Development Plan). Sir, section 36 says "Subject to the provisions of this Act, the Board

shall have power to direct, supervise, develop and control Secondary Education. I ask Dr. Chakrabarty to bear this in mind Sir, against section 34 are the marginal words "Development Plan" section says "The Board shall, within two years from the establishment of the Board or within such further time as may be allowed by the State Government, prepare and submit to the State Government an estimate of the immediate and prospective needs of the State as regards Secondary Education——(Dr. Monindra Mohon This was done on CHAKRABARTY: 1952.) It was not 7th October. Monindra Mohon done. (Dr. CHAKRABARTY: Development schemes were submitted by the Board at a special meeting——) (Sj. NIRMAL CHANDRA BHATTA-CHARYYA: The Board replies that the Board could not draw up this development plan because there was no money. Government did not give money. So Government stood in the way.) Sir, the present Bill does not contain any plan whatso-(Dr. MONINDRA MOHAN CHARRABARTY: The report submitted by the Board was discussed by the Development Plan Sub-Committee and there are comments by Mr. ('handa even.)

Sir, so far as the public opinion is concerned, if I remember aright, everybody thought that public opinion was in favour of supersession and in fact the Board has died "unwept, unhonoured and unsung." Sir, this Board is sought to be revived by certain persons, I do not know why, unless there is some misconception in their mind as to the true nature of Secondary Education.

Sir, one word more and I shall finish. I shall say something about the text-books. I think the members of the Executive Committee know very well that the text-books were prescribed mainly in the interest of the publishers. There is conclusive evidence which I have collected from the proceedings of the sub-committee.

[11-40-11-45 a.m.]

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They began to take all sorts of steps to go round the Syllabus Committee so that they could prescribe the books they liked-it was not that the students were unable purchase books—for \mathbf{more} instance, they say that the books prescribed in 1953 will be the prescribed books for 1955 so that children may save a lot of expense in buying new books. The reason however was different. On that point the resolutions can be looked at and what I say will be found to

Lastly I come to a certain report which Professor Chakrabarty read out here. I was rather surprised. I asked him to let me have the date of the report. Obviously the report bore no date and I will tell him that the report was not addressed to anybody. I may also tell him that, although a committee of twelve were appointed, only ten signed and the other two did not, and this report was published in the "Ananda Bazar Patrika" on the 23rd of April, and when this report was published nobody ever said that the report had come into existence. In fact on the 27th there was a resolution by the Executive Council, when it was brought to their notice that a report purporting to have been the report of the Committee had been published, that no such report had been submitted to them.

Sj. Satya Priya Roy: Why did not the Board issue a contradiction? The charge against the pre-Administrator is that he ought to have acted on that report. I suppose that was the charge.

The Hon'ble Pannalal Bose: do not like to use certain phrases of which Barristers are very fond. would say that such a report—signed by ten people, nobody knows where, without evidence that even the signature of Dr. Srikumar Banerjee was genuine—a lawyer would not touch it with a pair of tongs, but this gentleman, the Administrator, did look at it only recently after a certain article appeared in the papers

"Muddle in Secondary Education". He looked at it to try to find out whether there was anything in it which might suggest some action, and he did see it. But when you say that on the basis of that report somebody should be dismissed-one of them has already left, namely, the Assistant Secretary, the others are still in service-whether anybody should be dismissed on the strength of that report is the question.

[11-45—11-50.]

might be left to Administrator. The Administrator was a High Court Judge and he has some idea of estimating evidence which all of us have not. He has also some idea of getting at the truth upon evidence. It may be safely assumed that he would go into the whole matter and that he is at present going into the matter of this leakage of the questions that had occurred. As to publishing the results in the "Ananda Bazar Patrika", and in no other paper I may say that other papers were reluctant to publish such a long list on that day. That is the whole explanation.

Lastly, I shall say only one thing. This Board sat only 12 times during these years and I do not find that the Board has given any direction as to what Secondary Education ought to be. The Legislature when they passed the Act did not say what should be taught. It left it to the Board as it was composed of learned men. Even the syllabus which gave some indication of the kind of education that was in view has not been approved by the Executive Council and the Executive Council is a body which includes an Undergraduate and that Executive Council tries to interfere with the syllabus prescribed by a body of experts. All sorts of attempts were made to run the Syllabus Committee as a packed body and the result was that the Board came under a caucus. My last charge against the Board is that not being inclined to improve the Secondary Education in any way they failed to discharge their duties. They even

[The Hon'ble Pannalal Bose.] did not know what equipment a good school requires. As a matter of fact I find the 3 lakhs of rupees that was granted by Government for purchase of equipment was not spent because there was quarrel as to how the money should be distributed. A statement has already appeared in the papers to boycott the Secondary Education Commission. I think that was a statement issued by the All-Bengal Teachers' Association. The report of this Secondary Education Commission received the assent and approval of the Central Advisory Council for Education; it has received the approval of the Government of India; it has received the approval of the Association of Headmasters and also a seminar of Headmasters at Darjeeling.

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[11-50—11-55 a.m.]

An International Commission also approved of it. When we have appointed a new Commission in order to be sure how far we can go Profes-Bhattacharyya advised his friends to boycott it. If so, I may say that he attaches no value or weight to educational opinion and if the Government say that this Board in its proceedings is incompetent to deal with Secondary Education and as framed it never succeeded, we think it ought to be superseded so that some scheme akin to what is specified in Mudaliar Commission report might be attempted. This is all I could say and I oppose all the amendments.

(Then the motion of Sj. Debendra Sen was put and Sj. Debendra Sen called a division.)

Mr. Chairman: I think it would save time if division is taken by show of hands so that we can finish the business quickly.

Sj. Nirmal Chandra Bhattacharyya: Sir, we agree to a show of hands.

(After a pause.)

Mr. Chairman: I am told that if we do it by show of hands, it will take longer time than the ordinary way. So let us have it as usual. [11-55—12 noon.]

The motion of Sj. Debendra Sen that the West Bengal Secondary Education (Temporary Provisions) Bill, 1954, be circulated for the purpose of eliciting opinion thereon by the 31st December, 1954, was then put and a division taken with the following result:—

AYE8-7.

Abdul Halim, Janab Bhattacharyya, Sj. Nirmal Chandra Chakrabarty, Dr. Monindra Mohan Chattopadhyay, Sj. K. P. Debi, Sjkta. Anila Roy, Sj. Satya Priya Sen, Sj. Debendra

NOE8-25.

Abdur Rashid, Janab Mirza
Bagchi, Sj. Narendranath
Banerjee, Sj. Tara Sankar
Banerje, Sj. Bankim Chandra
Bhattacharya, Sj. Bijanbihari
Bhuwalka, Sj. Ram Kumar
Chakravarty, Sj. Hridoy Bhusan
Chatterjea, Sj. Devaprasad
Das, Sja. Santi
Deb, Sj. Narasingha Malla Ugal Sanda
Guha Ray, Sj. Pratap Chandra
Mahanty, Sj. Charu Chandra
Majumdar, Sj. Suchindra Nath
Misra, Sj. Sachindra Nath
Mohammad Jan, Shaikh, Janab
Mookerjee, The Hon'ble Kali Pada
Mookerjee, Sj. Kamala Charan
Mukherjee, Sj. Kamada Kinkar
Musharruf Hossain, Janab
Prasad, Sj. R. S.
Rai Choudhuri, Sj. Mohitosh
Roy, Sj. Chittaranjan
Sawoo, Sj. Sarat Chandra
Sen, the Hon'ble Prafulla Chandra
Sinha, Sj. Kali Narayan

The Ayes being 7 and the Noes 24, the motion was lost.

[The other two motions for circulation fell through.]

[Subsequently Mr. Chairman declared that Noes should be 25 because Dr. Pratap Chandra Guha Roy voted from inside the house due to illness, vide Mr. Chairman's observation on page 198].

The motion of the Hon'ble Pannalal Bose that the West Bengal Secondary Education (Temporary Provisions) Bill, 1954, as passed by the West Bengal Legislative Assembly, be taken into consideration was then put and agreed to.

Mr. Chairman: We shall now take up the amendments to the various clauses.

Clauses 1 and 2.

The question that clauses 1 and 2 do stand part of the Bill was then put and agreed to.

[12-12-5 p.m.]

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Clause 3.

Sj. Satya Priya Roy:

নাননীয় সভাপতি মহাশয়, আমি তৃতীয় ধাবায় এই সংশোধন প্রস্তাব এনেছি। যেখানে ম্যাডমিনিষ্ট্রেটর থাছে তার পবিবর্তে

by an ad hoc Committee—

Mr. Chairman: Mr. Roy vou please move your amendment to clause 3.

Sj. Satya Priya Roy: Sir, I beg to move that in clause 3, lines 3 to 5, for the words commencing with "for such period" and ending with "extend such period" the words "for a period not exceeding one year" be substituted.

বিলের যে নামকবণ দেওয়া হয়েছে তাতে টেম্পো-বাবী প্রভিশান য্যাক্ট বলে দেওয়া হয়েছে। অথচ আইনের ওখানে কোন টেম্পোবারী পিরিয়ড উল্রেখ করা হয় নাই। ইতিমধ্যে চার মাস সময় নিয়েছেন, গত মে মাসে বোর্ডকে সুপারসিড করা হয়েছে, আর এই সেপ্টেম্ববেৰ মধ্যেও স্বকাৰ কোন চিন্তাভাৰনা কবেন নাই তা পৰিষ্কাৰ বোঝা যায়। তাঁৰা সেদিন মাত্র একটা কমিশন খাডা করে দিয়েছেন। নিখিল বঙ্গ শিক্ষক সমিতির পক্ষ থেকে সর্বসম্বতিক্রমে এই কমিশনের বিরুদ্ধে একটা অনাস্থা প্রস্তাব ঘোষণা করা হয়েছে। তার প্রধান কারণ এর মধ্যে নাধ্যমিক শিক্ষকদের কোন প্রতিনিধি নেওয়া হয় নাই।

Mr. Chairman: That is hardly relevant to this amendment.

8j. 8atya Priya Roy:

কেন এক বছরের বেশী করা উচিৎ নয় আমি সেদিক থেকে বলছি। তাঁরা যতদিন খুশি আইন বলবং রাখতে পাববেন। আমি বলছি তা না করে এই সময়টা এক বছরে সীমাবদ্ধ করতে হবে। এই কমিশনের উপর আমাদের কোন আস্থা নাই। ার কারণ হচেছ পৃথিবীর কোন দেশের কোথাও ৰ্খামন্ত্ৰী মহাশয় েং∷ত পারবেন না যেখানে মাধ্যমিক শিক্ষা কমিশন তৈরী হয়েছে মাধ্যমিক শিক্ষক সমিতির কোন প্রতিনিধি না নিয়ে। অথচ আমাদের এই পশ্চিম বাংলায় তাই হয়েছে এ-বি-টি-এ-র কোন প্রতিনিধি সেখানে নেওয়া হয় নাই। এই কমিশন কতদিনে তাঁৰ বিপোর্ট সাবমিট করবেন সেই আশায় সরকার বংস খাকবেন। যখন তাঁর। বলবেন কোন নিদিষ্ট সময় দিচিছ না, আমরা ধরে নিতে পারি কমিশন এক বছবেব মধ্যে সাবমিট করেছেন। ফেন্দ্যাবী তিন মালের মধ্যে কমিশনের বিপোর্ট সাবমিট কববার কথা ছিল। কিন্তু এখন সেই তিন মাসের জায়গায় ছয় মাস হয়ে গেল। আমি আশা করি এক বছরের মধ্যে কমিশনের রিপোর্ট তৈবী হবে। সেজন্য আইনের সীমা অনিদিষ্ট কালের জন্য সময় না রেখে এই এক বছর সীমা নিদিষ্ট করা হোক।

The Hon'ble Pannalal Bose: I oppose the amendment not because I think that one year has any inherent difficulty about it, but because I may assure the honourable member that Government would try its best to complete its scheme as soon as possible and cannot say that it must complete it in the course of the year. That is the reason why I oppose the amendment.

[12-5—12-10 p.m.]

The motion of Sj. Satya Priya Roy that in clause 3, lines 3 to 5, for the words commencing with "for such period" and ending with "extend such period" the words "for a period not exceeding one year" be substituted was then put and lost.

The question that clause 3 do stand part of the Bill was then put and agreed to.

Clause 4.

Sj. Satya Priya Roy: Sir, I beg to move that in clause 4(b), lines 8-10, for the words commencing with "by such person" and ending with "in this behalf" the following words be substituted, viz.:-

> "by an ad hoc committee consisting of the Administrator appointed by the State Government, the Director of Public Ins-truction, West Bengal,

[Si. Satva Priya Roy.] head of the Department of Education, University Principal, of Calcutta, College Jadavpur Technology, or failing him one member of the staff of the College to be nominated by the Principal and two teacher members of the West Bengal Legislature, one to be elected by such Congress members from amongst themselves and another to be elected by such members in Opposition."

এই কুজ ৪ সম্পর্কে আমার য। বক্তব্য সেটা ধব সম্পষ্ট এবং আমার মনে হয় এই সম্পর্কে যাঁরা সবকার-পক্ষীয় তাঁদের নিজেদের বিবেচনা করা উচিত। আমি শিক্ষক-সমিতির পক্ষ থেকে বলবো তাঁৰা যেন দলগত নিৰ্দেশ বিবেচনা না করে নিজেদের বিবেক অনুযায়ী এই সম্পর্কে ভোট দেন। বাস্তবিক য্যাভমিনিষ্ট্রেটরের হাতে চার মাস শিক্ষা দায়িত রেখে দিয়েছেন। মধ্যে কি দেখা যাচেছ? কোন অবলম্বিত হচেছ না। পুথম যখন ম্যাডমিনিষ্টেটর এলেন, এসেই তিনি যোষণা করলেন ইতিহাস সম্পর্কে আবাব পরীক্ষা নেওয়া হবে। যথন জনমত পত্রিক। মারফত যোঘিত হ'ল যে ইতিহাস পরীক্ষা আর নেওয়া চলতে পারে না. তখন তিনি ঘোষণা করলেন যে. না. পরীকা দিতে হবে না। এই যে কমপার্ট-মেণ্টাল ও সাপিমেণ্টারী পরীক্ষা দেবার সযোগ হয়েছে, এবিঘয়ও তাঁর যদি কোন স্পষ্ট নীতি থাকতো তাহলেও না হয় তাঁরা কিছু বলতে পারতেন। পরীক্ষার ফল বেরিয়ে যাবার পরও তিনি কমপার্ট-নেণ্টাল পরীক্ষার কথা বলতে পারেন নাই। মাস পর ছাত্রেরা যখন বিক্ষোভ প্রকাশ করলো, তখন এই পরীক্ষা নেওয়ার ব্যবস্থা করা হয়েছে। সমস্ত স্কুলে পূজার আগে সাহায্যের টাকা যাওয়া দরকার তাও কোধাও যাচেছ না। উত্তরবঙ্গের বৃন্যা-विष्कष्ठ अकृत्वत्र विमानित्र अविनय होकात महाया পাঠান দরকার। কিন্ত এখন পযান্তও সেই সাহায্য-গুলি তাঁর। পাঠাতে পারেন নাই। বহু বিদ্যালয়ের মঞ্জরী সম্পর্কে কোনরকম পরিদর্শনের ব্যবস্থা হয় নাই। সোজ। কথান বলা যান যে গোটা মাধ্যমিক শিক্ষা-ব্যবস্থায় একটা অচল অবস্থার সৃষ্টি হয়েছে। তথ-

মাত্র এই য়্যাডমিনিষ্ট্রেটরের হাতে যদি এই মাধ্যমিক শিক্ষা পরিচালনের দায়িত রাখা হয়, তাহলে অচলাবস্থার অবসান হতে পাবে না। অবশ্য একটা য়্যাডভাইজ্বরি কমিটি করা হয়েছে। সেখানে আছেন, তাঁবা নিজেদের কাজে এত ব্যস্ত যে এব मर्था (वाथ इय म्वादाव (वनी पालाहन। কৰতে নি। য্যাডভাইজবি ক্মিটিতে আছেন ভাইস-চ্যান্সেলার। কিন্ত বিশ বিদ্যালয়েব এত দুক্রহ যে ভাইস-চ্যান্সেলাবের পক্ষে সব সভাগ যোগদান করা সম্ভব হয় না। কাজেই য্যাডভাই-জরি কমিটি যা গঠিত হয়েছে তাদের দুবাবের বেশী বসবাব সম্ভব হয় নাই। আমি বলতে চাই এই য্যাডমিনিষ্টেটরের না বেখে, য্যাডভাইজরি কমিটির হাতে বেখে যাঁবা শিক্ষাসম্পর্কে অভিজ্ঞ. তাঁদের এখানে উচিত। এখানে শিক্ষাবিভাগের কর্মচারীও থাকবেন, শিক্ষকদের নির্বাচিত পতিনিধি ও থাকবেন। ঐ কমিটি ন। করে য়্যাডমিনিট্রেটবের সঙ্গে যুক্ত এই য়্যাড হক কমিটি কবা হোক। বাস্তবিক শিক্ষাবিদ, শিক্ষার সঞ্জে যাঁদের সম্পক আছে তাঁদের সঙ্গে যুক্ত হয়ে য্যাডমিনিট্রেটর এই অন্তর্ব তীকালের गरश শিক্ষানীতিগুলি করতে পারবেন। সেই জন্য আমি দৃষ্টিভঙ্গী থেকে এই সংশোধন প্রস্তাব আপনাদের সামনে রাখছি।

The Hon'ble Pannalal Bose: Sir, I must oppose this amendment because I do not see there will be any real difference between the present Advisory Committee and the proposed ad-hoc Committee. After all the Act is very temporary. As I assured the honourable members some time ago we would not take a very long time to decide upon the particular scheme that we are going to adopt.

[12-10—12-15 p.m.]

I do not think we will again ask for some adhoc Committee under a statute. If he knows of any particular individual who could be of any help it is open to that individual to ask me only for the sake of the students because it is very important that the thing must be done quickly and not through Committees and we have got somewhat afraid of Committees from our recent experience.

The motion of Sj. Satya Priya Roy that in clause 4(b), lines 8-10, for the words commencing with "by such person" and ending with "in this behalf" the following words be substituted, viz.:—

"by an ad hoc Committee consisting of the Administrator appointed by the State Government, the Director of Public Instruction, West Bengal, Head of the Department of Education, University of Calcutta, Principal, Jadavpur College of Technology, or failing him one member of the staff of the College to be nominated by the Principal and two teacher members of the West Bengal Legislature, one to be elected by such Congress members from amongst themselves and another to be elected by such members in opposition."

was then put and lost.

Mr. Chairman: All the other amendments fall through.

The question that clause 4 do stand part of the Bill was then put and agreed to.

Causes 5 and 6.

The question that clauses 5 and 6 do stand part of the Bill was then put and agreed to.

Clause 7.

Mr. Chairman: Mr. Roy, your amendment is out of order, but you can speak on this clause.

8j. Satya Priya Roy:

আমাব সংশোধনী দেবার এই উদ্দেশ্য ছিল যে বিলের কুজ ৭এতে যাতে প্রতিসন কবা হয়েছে যে মাাভমিনিট্রেটব অথবা তার ছাবা পুদন্ত কমতাপুপ্ত বাজির বিকদ্ধে কোন কেস, কোন সুট বা কোন কম পুসিডিং থাকতে পারবে না এই জিনিঘটা হওয়া উচিত নয়। হাই কোটএ সুপারএনুমেসন নিয়ে জনেক কেস পেণ্ডিং রয়েছে। চাকরির মেয়াদ বাড়িয়ে দেওয়া সহচ্ছে মাানেজিং কমিটী যে সুপারিশ

কবেছেন যা মধ্যশিকাপর্যং মেনে নিতে গুপ্তত নন
এ নিযে এবং ন্যাট্রক টিচাবদের বরশান্ত ব্যাপাবে
অনেক কেস হাই কোর্টে পেণ্ডিং ব্যেছে। সূত্রনং
র্যাচমিনিট্রেটরএর কা৯ ইন ওচ ফেথ হলেই অথব।
ইন ইনটেণ্ডেড এক্সিকিউসন অফ দি র্যান্ট হলেই
যে সেটা সব সময় মেনে নিতে হবে এবং প্যালপেনলি
বিগহিত মনে হলেও ভাব বোন কেস বা প্রাণিডিং
করা যাবে না এটা শুধু স্মাটিন হবে না তা নয় এতে
কনটেম্পট অফ কোট হতে পাবে। সূত্রাং নাগনিকের
যে অধিকাব—সাধারণ অধিকার রক্ষার জন্য
আইনের আশ্ব্য নিতে পাবে সেদিকে থেকে লক্ষ্য
কবেই এই য়ানেওমেন্ট দিয়েছিলাম।

Billa

[12-15—12-20 p.m.]

The question that clause 7 do stand part of the Bill was then put and agreed to.

Clauses 8 and 9.

The question that clauses 8 and 9 do stand part of the Bill was then put and agreed to.

Preamble.

The question that the Preamble do stand part of the Bill was then put and agreed to.

The Hon'ble Pannalal Bose: Sir, I beg to move that the West Bengal Secondary Education (Temporary Provisions) Bill, 1954, as settled in the Council be passed.

Dr. Monindra Mohan Chakrabarty: Mr. Chairman, Sir, I shall be very brief in dealing with some of the points raised by the Hon'ble the Education Minister. Sir, before I come to that I need only say that our purpose in criticising this Bill was not that we support everything that the Secondary Education Board has done, but our point is that sufficient opportunity was not given to the Board under the provisions of the original Act to defend itself. Attempts were not made to invoke the provision of section 55-(1) of the Act. There are categorical provisions in section 55(1) and (2) of the Act that in cases of any incompetence or defect on the part of the Board the State Government shall formulate in writing charges against the Board and shall forward a copy of such charges

[Dr. Monindra Mohan Chakrabarty.]

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to the Board with the direction to submit any comments or explanations, in respect thereof-So, Sir, there was no point in summarily superseding the Board and then put all sorts of blame on it. was referred to in the memorandum submitted by several members of the Board which included such gentlemen-as I said the other day -Principal Amiya Sen, Dr. Srikumar Banerjee, Principal Prasanta Bose, Sj. Satyanarain Banerji, Sj. Kamini Kumar Ghose. It will be apparent from the names that they do not belong to one single party and they do not share the same opinion on other matters. The very fact that all of them were defending the rights of the Board speaks that there was no clique or party manoeuvring as has been pointed out by the Chief Minister or the Education Minister. It is decidedly our opinion that this important function of Secondary Education should get all the attention from the Government and the public. But the case in point is whether Government has the right to supersede the Board without giving it any opportunity to defend itself. When there was sufficient provision under section 55(1) in the original Act to take steps against any anomaly that might occur there is no point in superseding it.

As regards the things not done by the Board, my honourable friend Sj. Pannalal Bose has referred to the case of development in section 34 of the Act, I think he has mis-conception of the whole matter. I do not know what his department has told him, but it is a fact that on 17th October, 1952, a sub-committee of the Board was formed and on 23rd December, 1952, various plans for development were provisionally adopted. Three schemes were provisionally selected and were sent to obtain sanction of the Government of West Bengal and the Government department actually did not grant the necessary money, actually they sat about one year and they did not do anything, and the President of the Board also knew about this and the President submitted a memorandum prepared by the Board, and it is not true that the Board did not do anything under section 54 of the Act.

The other thing which I want to

[12-20—12-25 p.m.]

point out is regarding prescribing of text-books on considerations other than the suitability of the "The prescribed. early selection of pieces and texts for the Board's publications was made by the Syllabus Committee mostly on the recommendation of the President on the advice of specialist subcommittees and when on adoption of new syllabus on studies for various subjects authors and pub-lishers were invited to submit textbooks for selection, a machinery for the same was set up which left no scope for outside influence or interference by the members of the Board inasmuch as the books were to be submitted without any indication of the names of the authors. publishers or printers thereon, and after the President only had marked them with certain figures and letters for subsequent identification. they were required to be reviewed by a set of experts in the subject selected by a special committee consisting of the President, the Director of Public Instruction, the President, Post-Graduate Council in and the President, Post-Graduate Council in Science, and whose names were kept strictly confidential even from the members of the Board. The Syllabus Committee, on whose recommendation alone the text-books approved by the Board can under the Act be prescribed, has always acted on the advice of expert reviewers", and the President in every case knew what was happening. So, it is not true when he says that the Syllabus Committee or the Board acted arbitrarily in the matter of prescribing unsuitable text-books. My point is to show that sufficient care was taken by the members of the Board to ensure that justice was done and proper text-books were selected.

think he is wrong when he says that the Syllabus Committee acted arbitrarily.

The other point is about the report of the Enquiry Committee formed by the Board from which I read some extracts the other in the House about which a reference has been made by the Hon'ble Education Minister. Sir, I gave him on that day the dates on which the Personal Assistant from the President forwarded the report to some members of the Committee-if he consults the records, it was on the 15th April, and the Board was superseded on the 11th May. So, it is not true when he says that neither the President nor anybody in the Board knew anything about the Enquiry Committee. simply did not act. In this connection I may be permitted to read an extract from the editorial of the "Amrita Bazar Patrika," dated 5th September, 1954. This paper goes on to say "So far as the School Examination 'scandal' is concerned, the State Government's attitude is not a little curious. The superseded Board appointed a Committee to enquire into the circumstances leading to that 'scandal'. The Committee prepared its report but before it could be discussed by the Board the order of supersession was issued." I only learned today after the publication of this editorial that the present Administrawas enquiring about these things. Why was no enquiry done before? I ask the Education Minister why no steps were taken then and there? It was an official correspondence from the Personal Assistant to the President. So I say it was within the knowledge of the Education Directorate and, if I may say so, within the knowledge of the Education Minister—he does not take care of his departmentand they knew everything about it; they wanted to shield some people because of their own reasons; that is the fact. The Chief Minister in his usual manner has uttered some high-sounding words. I admire has lofty professions but his profesions are not backed by the practice in his own departments. That

is the tragedy. Sir, my point is that it is not a question that the Board should not be superseded or the Board should not be rectified. The point is that before doing anything else we should not be hasty in this matter and we should ask for public opinion.

Sj. Mohitosh Rai Choudhuri: Sir, the third reading motion of the Bill has been moved and in a few minutes the Bill will be passed and we shall have the pleasure to see that the monstrous body known by the name of West Bengal Secondary Education Board will be given a decent burial. I congratulate the Government for the courage, which sometimes I find lacking on their part, they have shown in suppressing the Board. have been made a subject of comment by some friends on the other side. Possibly, they think that because I had to cross the floor and come over to this side I have changed my opinion.

[12-25—12-30 p.m.]

Mr. Chairman: Mr. Rai Choudhuri, the Bill does not give a decent burial to the Board.

Sj. Mohitosh Rai Choudhuri: As I was elected on the Congress ticket, therefore, they think that I have been supporting this particular Government measure. Some of them are educationists and they must be aware of a magazine called "Sikshak" which has a circulation of 10 thousand copies. This magazine is edited by me and in it I expressed my opinion about the Board. On the very first day this Board was created I said that the way in which the Board was constituted would not lead to success.

Mr. Chairman: Mr. Rai Choudhuri, I draw your attention to clause 8 which has been passed already. There is nothing to show that this Bill in any way contemplated the dissolution of the Board.

Sir, I am not a lawyer and I do not like to go into details as to what is the interpretation of the

[Si Mohitosh Rai Choudhuri.]

Government

Bill. The Board may be in a suspended state of animation till a new Board is formed. I do not know what is in the womb of future but that the present Board has been superseded is enough for me. Now it has been said by members on the other side that this action of the Government has not been supported by the public. I will only quote a few words from the "Ananda Bazar Patrika" which said on the 3rd September, on the day on which the Bill was moved.

আনন্দৰাজ্ঞান পত্ৰিকা, গাঁঠ সেপেন্বর, লিখেছে—''
''বিরোধী পক্ষেব সমস্ত বক্তব্য এক কথায় এই
যে মধ্যশিক্ষাপর্যৎকে বাতিল কবা অন্যায
ও গহিত কাজ হইয়াছে। জনসাধাবণ
বিবোধী পক্ষেব এই অভিমত একেবাবেই
সমর্থন কবে না।''

তারপ্র আছে — ''পর্থংকে বাতিল কবিন। দিয়া মধ্যশিকা সম্বন্ধে এতবড় একটি সংকট ও সমস্য। সম্বন্ধে সরকার তাঁহাদের দায়িতুজানের পরিচ্য দিয়েছেন বলিয়া জনসাধারণ মনে কবিয়া থাকে।''

আৰু এক জ্বায়গায় লিখেছেন ''মধাশিক্ষা পৰিচালনাৰ কলিকাতা रि**"।**विष्गानस्यव দিনাছিলাম। তাহাদেৰ হস্তে ইহা সুপৰিচালিত হইতে ছিল না বলিয়া পর্যং গঠন কবিয়া এই ভাব তাহাদেব হাতে দেওয়া হয়। কিন্তু চাবি বংসব মধ্যশিকাপথং নিজেদেৰ পশ্চানন ব্যবস্থাব চবম বার্থতা। কবিয়াছেন তাহা এক কথায় পর্যতের মধ্যে দলগত ও স্বার্থগত সংঘর্ষ এমন একটা পৰিবেশ সৃষ্টি কৰিয়া ৰাখিয়াছিল যাহাতে পশ্চিমবঙ্গের মধাণিকার গঙ্গাযাত্রাব বাবস্থা কবিয়া-ছিলেন। এমন খবৰ বিবোধীপকের না জানিবাৰ কথা নহে।" কাজেই পর্যৎ থাতিল কবিয়া দেওয়াটা দঃখেব ব্যাপার হইলেও অসম্ভত ও অপত্যাশিত হয নাই। জনসাধাবণের এই মনোভার এই বাংলা-দেশের সকল সংবাদপত্তে পকাশিত হইয়া গিয়াছে। এইটক গোডায় মানিয়া লইয়া বিবোধীপক্ষের বিতর্কে অংশ গ্রহণ করা উচিত ছিল।

[12-30—12-35 p.m.]

Every sensible man will echo the sentiment expressed in this editorial. It has been said, Sir, to show the inconsistency of the present action of the Government. Many speeches were also quoted by my friend Shri Debendra Sen to when I had that effect, that wanted to move an amendment to the Governor's address, viz., "that the Government should consider whether the action taken by the Secondary Education Board and other bodies in making a monopoly publication is proper", Government refused to give me permission to discuss this point on the ground that the Board was an autonomous body. Sir, this is exactly why I have been advocating that Primary Education and Secondary Education ought not to be left to an autonomous body like this superseded Board. there was no autonomous body then we could discuss the matter on the floor of the House but simply because the Board was an autonomous body, its omissions and commissions could not be publicly discussed in the legislature. We did not know what used to transpire at the meetings of the Board behind the scenes. Once I sought permission from the President of the Board to be present at one of the meetings of the Board but I was not allowed. So nobody, no member of the public had any access to the deliberations of the Board. For all these reasons, Sir, I say that Primary and Secondary Education should be controlled by the Government subject to the advice of an expert body. It has been said that the Board had been dis-charging its functions efficiently. I am glad that the Education Minister has pointed out that no scheme of development had been submitted by the Board. My friends on the other side could not deny this fact. The Board was only concerned with the distribution of patronage. Therefore, I say again, I congratulate the Government on the courage they have shown in practically suspending the Board or keeping the Board in a manner of suspension. I support the passing of the Bill.

Sikta. Anila Debi:

মাননীয় সভাপতি মহাশয়, এখানে আমাদের माननीय गुर्या मञ्जीमहानग्र এবং निका मञ्जीमहानग्र এই বিলের স্বপক্ষে বহু যুক্তি দেখিয়ে যে সমস্ত কথা বলেছেন তাদাবা প্রমান করতে চেযেছেন যে বিবোৰীপক্ষ থেকে যে সমস্ত কথা বলেছেন, তা বাস্তব ভিত্তির উপর প্রতিষ্ঠিত নয়। বেশী আলোচনার নধ্যে না যেয়ে আমি শিক্ষা মন্ত্রীমহাশয়ের একটা ইভিব **উত্তব** দিতে চাইছি। শিক্ষামন্ত্ৰী আমাব নামোল্রেখ করে আমার ইলোকোয়েন্সএর প্রশংসা কবেছেন বটে, কিন্তু বলেছেন আমি যা বলেছি, তা সঠিক নয়। তাব উত্তরে আমি শুধু একথাই বলতে চাই যে আমাদের শিক্ষামন্ত্রীমহাশ্য জেগে ঘুমোচেত্ন। গভীরভাবে নিম্রিত থাকলেও কোন লোককে চেঁচা-েঠি করে জাগান যায় কিন্তু যে লোক জেগে ঘনোয় তাকে জাগান সম্ভব নয। আমি প্রথমে ভেবেছিলাম রে আমাদের গভর্নমেণ্ট শিক্ষা ব্যাপারে গভীব তদ্রাচছন --তাই একটু নাড। দিতে চেয়েছিলান, কিন্ত দেখলাম তাবা জেগেই গ্মোচেছন সতবাং জাগান সম্ভবপৰ নয় – আমার সাধ্যাতীত। যদি জেগে না ঘুমোতেন তাহলে বুঝতে পারতেন আমি যে সমস্ত তথ্য পৰিবেশন কবেছিলাম তাতে কোন মিখ্যা বা ভল নেই। তাদেব গঠিত বোর্ডেব তাদেরই নির্বাচিত প্রেসিডেণ্ট বোর্ডের বাৎসবিক অধিবেশনে যে রিপোর্ট পেশ কবেছিলেন--সেই অটোনোমাস বডির প্রেসিডেণ্টএব বিপোর্টএ আছে—

"though it should be the common knowledge of all that the overwhelming majority of our schools are ill-equipped and ill-housed and overcrowded to an extent that makes it impossible for even the best teacher to give individual attention to the pupil the Board has been able to do very little to improve the condition. The responsibility for this failure cannot however be fairly charged entirely against the Board. There seems to be little realisation on the part of our legislators and our Administrators that it is not possible to have a sound educational structure in the country unless it is based on the solid foundation of a sound school education. It is futile to think that we can take our rightful place in the comity of nations unloss we take effective steps to recondition our best products of our

Universities by making the conditions of service of our teachers attractive by equipping our schools with books, apparatus and educationa! appliances which would stimulate the imagination and arouse the productive interest of our school pupils, but this cannot be achieved without the provision of ample funds."

The Hon'ble Dr. Bidhan Chandra Roy: Sir, what is it that the honourable member is reading?

Sjkta. Anila Debi: It is President's report.

The Hon'ble Dr. Bidhan Chandra Roy: But we have got nothing before us.

Mr. Chairman: You may refer to it briefly and not in extenso.

Sjkta. Anila Debi

বোর্ভের কাছ থেকে চাইলেই এটা পেতে পারবেন বোর্ভের প্রেসিডেণ্ট তার annual meeing on 14th July, 1953, যে য্যানুয়াল বিপোট প্রেস করেছিলেন, তারই এটা শেষ পোর্নান।

Mr. Chairman: You have given the substance.

[12-40—12-45 p.m.]

Sjkta, Anila Debi:

যদি মনে করে থাকেন যে এগৰ পড়লে সময় নট হচেছ তাহ'লে না হয আর পড়ব না। তারপর ডেভেলপনেণ্ট স্কীমস বা উনুযনেল কথা। এই ন্যাপারে শিকামন্ত্রীমহাশ্য একটু গোলমালে পড়েছিলেন। যে সদ্ধে আমান কদ্ধুরা জানেন যে এডুকেসম লাইনএ একটা কথা আছে — সাইও মাইও ইন এ সাইও বড়ি। সাইও বড়ি না হলে সাইও মাইও হতে পারে না। তাই বোর্ড থেকে যে টিফিনের স্কীম দেওরা হয়েছিল — সেটা অত্যন্থ বুজিসদ্ধত বলে আমি মনে কবি। স্কুলগুলিকে সাহায্য দিলে পর স্কুলের ছাত্রদের স্বাস্থ্যের উনুতি হতে পারে। তারা ালভাবে শিপতে পারে, ক্কুলগুলিও ভালভাবে তাদেব শিপাতে পারে। সেটা উনুযনের যেমন অদ্ধ তেমনি সাইও বড়ি কনতে গোলে মেডিক্যাল ট্রিটনেণ্টের প্রান্ধান।

Mr. Chairman: You are discussing general principles. This is

[Mr. Chairman.]
not connected with the immediate
object in hand, that is, the Third
Reading of the Bill.

8jkta. Anila Dębi:

সেদিক থেকে সে তথ্যগুলি উপস্থিত করতে সরকারের শিক্ষানীতিতে যে গলদ চেয়েছিলাম আছে, সেই গলদগুলিই বোর্ডের মধ্যে ফটে উঠতে বোর্ডকে যদিও বলা হয়, ডেমোক্রাটিক বডি নাম দেওয়া হয়, তবও দেখতে গেলে পর দেখা যায় যে আইনের সাহায্যে আইনের গঠিত, শেই बरशरक । সবকাবেব হাতেৰ ग्रासा নেবাব দায়িত **শবচে**য়ে বেশী। শিক্ষার জন্য স্বকারের যে দায়িত্ব আছে, সেই দায়িত্ব যদি এগিয়ে তাহ'লে হাজাব ডেমোক্রাসির দোহাই দিয়ে বসুন--আপনাব৷ শিক্ষার উণ্তি ও শিক্ষার বিস্তার করতে পারবেন না। সেই জন্য শিক্ষামন্ত্ৰীমহাশয় পূথমে य कथा रालिज्ञितन य गराहरा तभी शुराह्मकीय হচেছ[°], আজ দেশে সেকেণ্ডারী এডকেশান। সেখানেই রয়েছে দুর্বলতা। তার সেই বজ্তব্যের পুনরুক্তি করে বলছি, সেই দৰ্বলতাকে সংশোধন করবাব জন্য কোন আশা এই বিলেব মধ্য দিয়ে আমাদের কাছে অন্ততঃ ধনতে পারেননি। আমরাও বলেছি कार्याकनाथ मध्या वना इटाइ বার বাব বোর্ডেব জনসাধাবণ এই বোর্ডকে চায় না। খেকেও কোটেশান তোলা হয়েছে। এডিটবিয়াল কিন্তু আমি মনে কবি বোর্ডেব স্বপক্ষে ও বিপক্ষেব সমস্ত উক্তি যদি জনসাধাবণের সামনে দেওয়া হ'ত বিচারের সুযোগ দেওয়া হ'তো তাহলে জনসাধারণের পুক্ত অভিমতের অভিব্যক্তি হ'ত। সেদিন আর আমাদের কিছ বলবার প্রাজন ना। শিক্ষামন্ত্রীর মদালিয়র স্বপক্ষেও কিছু বলাব প্রয়োজন হ'ত না। সেদিন জনগাধারণকে তাঁরা জানিয়ে দিতে পারতেন দেশের শিক্ষা নীতিতে কিরকম বোর্ড চান। ममानियत्र किमारानत २৫ छरानव किना-

Mr. Chairman: The honourable member is reverting to a point which has already been disposed of, viz., the necessity of placing this before the public.

Sjkta. Anila Debi:

সুতরাং জনমত গঠন করবার আমাদের ইচছা ছিল; এই বিলকে তাঁরা জনসমক্ষে প্রচারিত করে

দিন। কিন্তু তা যখন নিদিষ্ট হয়ে গেছে, তথ্য বিলের রচয়িতাদের কাছে অনুরোধ করবো শিক্ষাকে যদি শক্ত ও সরস করে তুলতে চান তাহ'লে নুতন করে চিন্তা করতে হবে এবং জনসাধারণের সহযোগিত। নিতে হবে, শিক্ষকদের অভিজ্ঞতার সাহায্য নিতে **সত্যিকারের** শিক্ষার যদি এগিয়ে সেই কাজে যান. আমরা জানি এখানেও নয়, কোন সাধাবণেব মধ্যেও নয় কোথাও তাঁদের সমালোচনা শুনতে তাঁরা তাঁদের কাজের সমর্থন পাবেন; না করে আইনের পর আইন পাশ কবে একে দোঘ দিয়ে, তাকে দোঘ দিয়ে নিজেদের দায়িত এড়িযে গিয়ে বার বার যদি এই রকম করতে যান, তাহলে আমি বলতে বাধ্য এই স্বকার জনগণের কল্যাণকর সরকার নয়।

[12-45—12-50 p.m.]

Sj. Satya Priya Roy:

মাননীয় সভাপতিমহাশয়, আমি কি কাবণে আজকে এই আইন যাতে লিপিবদ্ধ না হয়, যাতে আইন পাশ না হয়, কেন আমি পতিবাদ কবছি, সেটা করে বলতে চাই। বোর্ড অন্যাথী হয়েছে কি না হযেছে তাব পতিবাদ করতে আসিনি। যেভাবে বোর্ডেকে হযেছে, সেটা বেআইনী হযেছে। যেভাবে হওষ উচিত ছিল, যে কথা বিবোধীপক থেকে সেক্থা বলাৰ জন্যও আনি এই আইনের বিবোধিতা কবছি না। আমি বিবোধিতা এই জন্য যে এখানে পবিকাব ইঞ্চিত বয়েছে সমস্ত মধ্যশিক্ষাকে সরকাবের কৃক্ষিগত করা, শিক্ষাকে সংকৃচিত কবে আনা। এই য স্বনাশা ইঙ্গিত রয়েছে তাব জন্যই আমি এই বিলেব পতিবাদ করছি। সরকারপক্ষ থেকে যাঁবা বলেছেন--মখ্য**-**মন্ত্রী থেকে আরম্ভ করে শিক্ষামন্ত্রী মাননীয় সদস্য মহীতোঘ বাবু পর্য্যন্ত বলেছেন এবং বিশেষ কবে মহীতোষ বাব সুরকাব পক্ষের মনের কথা পবিষ্ণার কবে বলেছেন যে মধ্যশিকাকে সরকারের কৃক্ষিগত করে আন। তাদের কর্তছে চালাবেন। সবকারের মনের কথা সরকারী সদস্য নিশ্চয়ই জানেন।

SJ. Mohitosh Rai Choudhuri:
মহীতোষ বাবু তাঁর নিজের মনের কথাই বলেছেন।

Sj. Satya Priya Roy:

মুখ্যমন্ত্রীমহাশয় গণতান্ত্রিকতার নিন্দা করেছেন, শিক্ষামন্ত্রীমহাশয়ও করেছেন। সরকারের হাতে যদি শিক্ষা কত্ত্ যায়, তাহলে শিক্ষার উনুতি হবে কি করে? আমাদের সরকার সেকেগুরী এডুকেশান
ন্যান্ত পড়ে দেখবার দায়িত্ব পর্যান্ত নেন না। সেখানে
যে রুলস তৈরী করা উচিত ছিল, তাও তাঁরা করেন
নাই।

গ্রাণ্ট-ইন-এড সম্বন্ধে বনতে গিয়ে শিক্ষামনীমহাশ্য বলেছেন একজন শিক্ষক পিছু কুড়ি জন
করে ছাত্র, এই অনুপাতে তাঁরা করতে চান। এই
অনুপাতে তাঁবা করতে চান কি? যখন সাহায্যপ্রাপ্ত বিদ্যালয় থেকে বলা হ'ল আমাদের যে অনুপাত
আছে ২০০৩৫ জন ছাত্র—ছাত্রী বয়েছে। কাজেই
আমাদের শিক্ষকদেব সংখ্যা বাড়াতে হবে। তখন
সবকারী দপ্তব থেকে নির্দেশ দেওয়া হয়েছিল যে
একজন শিক্ষক পিছু ২০ জন ছাত্র থাকবে, এটা
এখন পালন কবা চলবে না। অথচ আইনে
পরিকার কবে সেকথা বলা হয নাই।

হাজার টাকা মুখ্য মন্ত্ৰীমহাশয় বলেছেন ৩০ विकार्ज कांध निरंग विमानम श्रुनरा श्रदा। সেই টাকা কে দেবে ? জনসাধারণ যে স্কুলগুলি ধলেছেন সেই স্কুলেব কতকগুলি ভেঙ্গে সহবাঞ্বল কতকগুলি বিদ্যালয় গড়ে তুলে--**ত্র** গড়ে তলে নয়, সেগুলি স্বকাবের কতৃত্বিনি বেখে যাতে সমস্ত শিক্ষা ব্যবস্থাকে নিয়ন্ত্ৰণ কৰে বাখা যায়, সেই জনাই এই বিল এখানে উপস্থিত কর। इत्याकः এই नित्तन পেছन এই इक्क डेक्स्गा। আমাদেৰ বিবোধীপক্ষেব সদস্যদেব বক্ততায়ও সেই কথা পৰিশ্বাৰ হযে ফুটে উঠেছে।

এই যে এক্সপান নিয়ে মূলালিয়ৰ কমিশনেৰ রিপোর্ট निरम् पाटनां इत्यर्ह, छात्रा याद्यत এক্সপার্ট বলেছেন, ডিবেক্টবনা এরপার্ট, সেকথা আমবা মানি না তাঁবা যে এক্সপাট নন, সেকখা সকলে স্বীকার করবেন। সেদিক খেকে বোর্ডের কন্ট্রাক্সন কি হবে, त्य मन्भदर्क मुनालियन तिर्शिष्ठं नरलएक त्य २० अन শভো যে বোর্ড তৈবী হবে, তার ১৮ জন শভা হবেন সরকার মনোনীত ব্যক্তি সরকারী কর্ম্মচারী। এই যে সুপারিশ, পশ্চিম বাংলার শিক্ষাকে সরকারের কুক্ষিগত করবার প্রয়াস আমরা কোন ক্রমেট পশ্চিম বাংলার জনসাধারণ ও শিক্ষক সমাজ মেনে নেব না। সেই জন্যই এই বিলের বিবোধিত। করছি। আর সেই জন্য পরিষদের কাছে আবেদন রাখছি তাঁরা যেন জোর করে ভোটের সাহায্যে জনমতকে উপেক। করে এই বিলকে পাশ না করেন।

[12-50—12-55 p.m.]

The Hon'ble Pannalal Bose: I do not think I can usefully add

anything now. Sir, I want to say one word about section 55. We cannot afford to lose precious time as we have already lost a great deal of time. When the Secretary of the All-Bengal Teachers' Association says that our object is to put the department under the Director of Public Instruction as an expert he has not listened to what the Chief Minister said: "a compact body of experts"-that is the expression you will find in this book. compact body of experts will give advice. The Director only carries it out.

With these words I commend the Bill for acceptance of the House.

The motion of the Hon'ble Pannalal Bose that the West Bengal Secondary Education (Temporary Provisions) Bill, 1954, as settled in the Council be passed, was then put and agreed to.

Mr. Chairman: Honourable members, I have got a correction to announce in connection with the results of the Division. The Ayes were given out as 7 and the Noes as 24. The Noes should be 25, because Dr. Pratap Chandra Guha Ray voted from inside the House due to illness.

There are a few other innocuous Bills which seem to be non-controversial, and we can now take them up.

Dr. Monindra Mohan Chakrabarty: Sir, it is already very late. Since they are all non-controversial we can take them up on the next day.

The Hon'ble Dr. Bidhan Chandra Roy: Let us finish the non-controversial Bills today because there will be no amendments.

The West Bengal Private Forests (Amendment) Bill, 1954.

The Hon'ble Hem Chandra Naskar: Sir, I beg to move that the West Bengal Private Forests (Amendment) Bill, 1954, as passed by the Assembly, be taken into consideration.

The motion was then put and agreed to.

Government

Clauses 1-4.

The question that clauses 1-4 do stand part of the Bill was then put and agreed to.

Preamble.

The question that the Preamble do stand part of the Bill was then put and agreed to.

The Hon'ble Hem Chandra Naskar: Sir, I beg to move that the West Bengal Private Forests (Amendment) Bill, 1954, as settled in the Council, be passed.

The motion was then put and agreed to.

The West Bengal Legislature (Removal of Disqualifications) (Amendment) Bill, 1954.

The Hon'ble Dr. Bidhan Chandra Roy: Sir, I beg to move that the West Bengal Legislature (Removal of Disqualifications) (Amendment) Bill, 1954, as passed by the Assembly be taken into consideration.

The motion was then put and agreed to.

Clauses 1 and 2.

The question that clauses 1 and 2 do stand part of the Bill was then put and agreed to.

Picamble.

The question that the Preamble do stand part of the Bill was then put and agreed to.

The Hon'ble Dr. Bidhan Chandra Roy: Sir, 1 beg to move that the West Bengal Legislature (Removal of Disqualifications) (Amendment) Bill. 1954, as settled in the Council, be passed.

sj. Debendra Sen: Sir, I want to say something. It is in connection with 2(b) where it is laid down "an office which is not a whole-time office either by salary or by fees"—it seems to be very vague. Will the Chief Minister give us some idea as to whom he wants to cover by this sub-clause? This is the point I would like to raise.

[12-55—1 p.m.]

The Hon'ble Dr. Bidhan Chandra Roy: As a matter of fact, item (b) is already part of the Act which is passed by the Legislature. The West Bengal Legislature (Removal of Disqualifications) Act contains the provisions of (a) and (b). What we have added now is subsection 2. The other portion is already in the present Act. The Government of India have also passed a similar Act in the Parliament to allow National Cadet Corps or Territorial Army people.

Sj. Debendra Sen: What about 2(b)?

The Hon'ble Dr. Bidhan Chandra Roy: We have already an Act like this. The question now is about an office which is not whole-time office remunerated either by salary or by fees. We are not introducing a new thing.

The motion of the Hon'ble Dr. Bidhan Chandra Roy that the West Bengal Legislature (Acenoval of Disqualifications) (Amendment) Bill, 1954, as settled in the Council be passed, was then put and agreed to.

The Bengal Motor Spirit Sales Taxation (Second Amendment) Bill, 1954.

Sj. Debendra Sen: Sir, we would like to hear something about the recommendation contained in the Bill. What is the purpose and objective behind the Bill?

The Hon'ble Dr. Bidhan Chandra Roy: Sir, I beg to move that the Bengal Motor Spirit Sales Taxation (Second Amendment) Bill, 1954, as passed by the Assembly, and transmitted to the Council for its recommendations, be taken into consideration.

Sir, I may just explain that while ordinary motor spirit which is used for ordinary taxis and other transport vehicles is charged in this State up to now spirit used by the planes is not charged. We have been pressing the Government of India for a long time to charge it, because motor spirit is now one of

the essential goods under the Essential Goods Act. Although it is a Taxation Bill in which we have the power to tax under Schedule 7, under the State List, we could not do it as the goods for which we want to tax is declared by the Central Parliament or the President as essential goods. We wrote to the Central Government asking for permission to put in 3 annas and 6 annas per gallon but we were not allowed. I may tell you, Sir, that Madras is already charging for this aviation spirit.

Sj. Debendra Sen: What is the charge there?

The Hon'ble Dr. Bidhan Chandra Roy: Eight annas or 6 annas.

Sj. Satya Priya Roy: Is the Government going to the Central Government again for permission now?

The Hon'ble Dr. Bidhan Chandra Roy: We have been refused permission and we shall go to them after some months, not now.

The motion was then put and agreed to.

[1—1-5 p.m.]

The Bengal Raw Jute Taxation (Amendment) Bill, 1954.

The Hon'ble Dr. Bidhan Chandra Roy: Sir, I beg to move that the Bengal Raw Jute Taxation (Amendment) Bill, 1954, as passed by the Assembly and transmitted to the Council for its recommendations, be taken into consideration.

Sir, I have nothing much to add except that we had to put in this four annas, but the only thing I want to point out is that this jute taxation is not paid by the ordinary jute dealer; it is only paid by the mill-owners and those who export iute; it is only on them that we put this extra.

Mr. Chairman: The Council has no recommendation to make.

The motion was then put and agreed to.

The West Bengal Black-marketing (Repealing) Bill, 1954.

Bills

The Hon'ble Prafulla Chandra Sen: Sir, I beg to move that the West Bengal Black-marketing (Repealing) Bill, 1954, as passed by the Assembly, be taken into consideration. Sir, I will just read the Statement of Objects and Reasons:

"In Ram Kissen versus the State of West Bengal the Calcutta High Court held that the provisions empowering Government, at its discretion, to allot cases under the West Bengal Blackmarketing Act to a Special Tribunal for trial were ultra vires Article 14 of the Constitution of India and therefore void.

"The matter having been referred to the Law Revision Committee, it expressed the view that this provision was discriminatory inasmuch as Government had a discretion to prosecute persons guilty of breaches of various Control Orders in different ways, namely, under the Essential (Temporary Supplies Powers) Act, 1946, which is a Central Act, and the West Bengal Black-marketing Act, 1948, which is a State Act. The maximum punishment under the former. Act is rigorous imprisonment up to three years"-that is the provision under the Central Act—''whereas the maximum punishment under the rigorous latter Act isimprisonment up to seven years. Thus persons of the same class and similarly situated and circumstanced could be dealt with differently.

"Quite apart from this, the Committee held the view that in the context of the Essential Supplies (Temporary Powers) Act, 1946, the West Bengal Black-marketing Act, 1948, is void to the extent of [The Hon'ble Prafulla Chandra Sen.]

Government

repugnancy by reason of Article 369 of the Constitution of India. It therefore recommended removal of the Act from the Statute Book."

Moreover, Sir, I may add further that due to the lifting of controls on almost all the commodities excepting jute there is no need for this Act.

8j. Debendra Sen: There seems to be now a vacuum—

The Hon'ble Prafulla Chandra Sen: No, no. The Central Act is there and it is operating.

The motion of the Hon'ble Prafulla Chandra Sen that the West Bengal Black-marketing (Repealing) Bill, 1954, as passed by the Assembly, be taken into consideration, was then put and agreed to.

Clauses 1 and 2.

The question that clauses 1 and 2 do stand part of the Bill was then put and agreed to.

The Hon'ble Prafulla Chandra Sen: Sir, I beg to move that the West Bengal Black-marketing (Repealing) Bill, 1954, as settled in the Council, be passed.

The motion was then put and agreed to.

[1-5-1-10 p.m.]

The Darjeeling and Kurseong Municipal (Porters) (Amendment) Bill, 1954.

The Hon'ble Iswar Das Jalan: Sir, I beg to move that the Darjeeling and Kurseong Municipal (Porters) (Amendment) Bill, 1954, as passed by the Assembly, be taken into consideration.

The motion was then put and agreed to.

Clauses 1-3.

The question that clauses 1-3 do stand part of the Bill was then put and agreed to.

Preamble.

The question that the Preamble do stand part of the Bill was then put and agreed to.

The Hon'ble Iswar Das Jalan: Sir, I beg to move that the Darjeeling and Kurseong Municipal (Porters) (Amendment) Bill, 1954, as settled in the Council, be passed.

The motion was then put and agreed to.

The Calcutta Port (Amendment) Bill, 1954.

The Hon'ble Iswar Das Jalan: Sir, I beg to move that the Calcutta Port (Amendment) Bill, 1954, as passed by the Assembly, be taken into consideration.

Sir, the position is that under the Port Act the Port Trust properties were assessed to municipal taxation in a particular fashion. Now, the Calcutta Port Act was passed long time before and the tax fixed at that time was very low. An agreement has been reached between the Port Commissioners and the Corporation of Calcutta for increasing the tax under which they will get 11 lakhs more. other municipalities to which the Calcutta Municipal Act has been extended will take advantage of this agreement. So far as other are concerned to municipalities which the said Act has not been extended they are entitled to assess in the ordinary way as other properties which is already to their advantage. There is nothing of a controversial nature in this Bill.

The motion was then put and agreed to.

Clauses 1-4.

The question that clauses 1-4 do stand part of the Bill was then put and agreed to.

Preamble.

Government

The question that the Preamble do stand part of the Bill was then put and agreed to.

The Hon'ble Iswar Das Jalan: Sir, I beg to move that the Calcutta Port (Amendment) Bill, 1954, as settled in the Council, be passed.

The motion was then put and agreed to.

Mr. Chairman: The House stands adjourned till 10 a.m. on Tuesday, the 14th September, 1954. We shall begin our day's business with the consideration of the Deve-lopment Bill and the Bargadars Bill.

Adjournment.

Bills

The Council was then adjourned at 1-10 p.m. till 10 a.m. on Tuesday, the 14th September, 1954, at the Legislative Buildings, Calcutta.

Members absent.

Bose, Sj. Subodh Kumar. Guha, Sj. Prafulla Kumar. Mohammad Sayeed Mia, Janab. Prodhan, Sj. Lakshman. Sanyal, Sj. Charu Chandra. Sarkar, Sj. Pranabeswar. Sinha, Sj. Rabindralal.

Tuesday, the 14th September, 1954.

Council met in the Legislative Chamber of the Legislative Buildings, Calcutta, Tuesday, the 14th September, 1954, at 10 a.m. being the 4th day of the Fifth Session, under the Constitution of India.

Chairman (The Hon'ble Mr. Dr. Suniti Kumar Chatterji) was in the Chair.

[10-10-5 a.m.]

Message.

Secretary (Sj. A. R. Mukherjea): Sir, Message in respect of the following Bill has been received from the Assembly, namely:

"Message.

Bengal Bargadars The West (Amendment) Bill, 1954, as passed by the West Bengal Legislative Assembly at its meeting held on the 8th September, 1954, has been duly signed by me and is annexed herewith. The concurrence of the West Bengal Legislative Council to the Bill is requested.

CALCUTTA:

The 10th September, 1954.

S. K. MUKHERJEE, Speaker,

West Bengal Legislative Assembly.'

Sir, I lay on the table a copy of the Bill.

COVERNMENT BILLS.

The Bengal Development (Amendment) Bill, 1954.

Hon'ble Ajoy The Mukherji: Sir, I beg to move that the Bengal Development (Amendment) Bill, 1954, as passed by the Assembly and transmitted to the Council for its recommendations. be taken into consideration.

সেচ এলেকায় এই ডিভেলপমেন্ট এক্ট প্রযোগ করার যথেষ্ঠ প্রয়োজন রয়েছে, কিন্তু বর্ত্তমানে যে আইন আছে বেদ্দল ডিভেলপ্রেন্ট এক্ট অফ ১৯১৫ তাকে সংশোধন না কবলে এখন আর প্রযোগ কন্য যায় না। তাই এই বিলের আজ প্রোজন। আমাদের ম মূবাকী প্রজেক্টে যে পবিকলপনা রূপ নিয়েছে সেটা সম্পূর্ণ হতে প্রায় ১৬ কোটী টাক। লাগবে। তাতে তিনটে কাজের কথা আছে, বন্যা নিবারণ, সেচ এবং বিদ্যুৎশক্তি। এই সেচে পায় ৬ লক্ষ একব ধানের জমি এবং ১ লক্ষ ২০ হাজাব একর বনি ফদলের জমিতে জল দেওয়া যাবে। ১৯৫৬ সালে এই কাজ পূৰ্ণ হবে। এখন, এই পৰিকলপনা সম্পূৰ্ণ করতে হলে এই যে ১৬ কোটা টাকাব দরকার সে টাকা কেন্দ্রীয় সরকাবের কাছ থেকে এই রাজ্য সবকাবকে ঋণ স্বৰূপ নিতে হচেছ। এবং তাব সৰ্ত হচেড় যে পবিকলপনাব কাজ শেষ হলে পর দশ বংসবের মধ্যে স্থদ সমেত সমস্ত টাকা শোধ কবে দিতে হবে। এই দশ বংসব মেযাদকে আমবা লেখা লেখি কবে পুনুর বংগর পুর্যান্ত কবে নিয়েছি। এবং এ সম্পর্কে আবে৷ সর্ত্ত ছিল যে এই টাকা স্থানীয় সেচ প্রাপ্ত এলেকায় কব ধার্য্য কবে শোধ কবা হবে। [10-5—10-10 a.m.]

এখন এই কব ধার্য্য ব্যাপার দুনী উপায়ে হতে পাবে। একটা বেঙ্গল ইবিগেশন এক, আর একটা বেঙ্গল ডিভেলপুমেন্ট এক্ট। ইবিগেশন এক্ট অনুসারে কব ধার্য্য কবতে হলে আমাদেব সমস্তান এলেক। কতকগুলি কুদ্র প্রকে ভাগ করা আছে, এক একটা বাকেব শতকৰা ৭৫ থেকে ৮০ জন লোক যদি সরকাবেব কাছে দবগাস্ত কবেন যে আমরা জল নেৰ ট্যাক্স দিযে, তখন সৰকাৰ ৰলেন যে আমাদেৰ সঙ্গে কণ্ট্রাক্ট কব। কণ্ট্রাক্ট হ'ল জল দেবার জন্য ধান পাট হলে তখন লোকের। ট্যাক্স দেয়। এই নিয়মে লোকে চাইলে পব তবে জল দিতে হয। এটা হচেছ ভলাণ্টাবী সিষ্টেম। লোকেরা স্বতঃ-পুৰুত্ত হয়ে যদি এসে কণ্টাক্ট করে তবে জল দিতে হয়। আমাদেব মাসাঞ্চোবে যে বাঁধ তৈবী হচেছ সে বাঁধ मम्भूनं इतन २१ वर्ग मार्डेन अलकांग्र कन धता शाकता। সেটা এখনও সম্পূর্ণ হয় নাই। যতটুকু হয়েছে তাতে জল ধরা যাবে না। ড্যামে জল ধৰা থাকলে তবে তা থেকে ভাগ দেওয়া হবে। আর একট নীচে একটা ব্যাবেজ কবে জলটাকে উঁচ করে নিযে দুধাবে ক্যানাল কেটে ক্যানাল থেকে মাঠের ভিতৰ জল দিতে হবে। সেই ব্যারেজ তৈরী হয়েছে। তাই কিছু কিছু জমিতে জল দিতে পারি। অনেকেব ধারণা ছিল এবং তারা স্থানীয ক্ষকদের বৃদ্ধিয়ে ছিল যে এত বড় নদীতে বাঁধ দিতে পারবেনা.

वनाः निवादभे दर्व ना, এवः সেচের জলও দেয়া যাবে না। সেই ভুল ধারণা ভাঙ্গবার জন্য অর্থাৎ **গেচেৰ জল যে দেয়া যাবে এবং সেই জলেতে** যে চাষের বিশেষ উনুতি হনে তা দেখাবার জন্য এবং ক্যানেলের জল পোলনা যেখানে, ও ক্যানালের জল পেল যেখানে এই দুটোব ত্লনা খেকে যাতে ক্যকেরা সহজ্বেই উপকারিতা ব্যতে পাবে সে জন্য পূর্থম বছবে ১৯৫১ সালে কোন ট্যাক্স না নিয়ে আমরা জমিতে জল দিয়েছিলাম। তার পরেব বছৰ ফল হ'ল যে স্বেচ্ছায যাঁবা জল নেবেন তাঁদের জনকর দিতে হবে। ট্যাক্সের সর্বের্নাচচ হার দশ টাকা। তবে জল দিতে একটু দেরি হতে পাবে, তাই সে বৎসর একটা বিবেট দিয়ে ২।। টাকা কমিয়ে ৭।।০ টাকা ধার্য্য কবা হল। কিন্তু কেউ সে বৎসর জল নিতে এলো না স্বেচ্ছায। তার পরের বছরে বলা হল গত বছৰ আপনাবা জল নেননি এ বছরে যদি জল নেন তাহলে কিছু স্থবিধা দেব, ৯ টাকা অথবা ৩৫ সেব ধান কর ধার্য্য হল, সে বছরে নাম মাত্র খবিফ ২২ একব ও রবিব ১৩ একর জমির জন্য কণ্ট্রাক্ট কবা হল। কাজেই দূবছর দেখা গেল এইভাবে ভলাণ্টাবী সিষ্টেমে লোকে জল নিল না, ট্যাক্সও দিল না। এদিক খেকে দেশের শস্যোৎপাদন বৃদ্ধি হয়ে যে দেশেব সম্পদ বৃদ্ধি হত তাও হ'ল না এবং কেন্দ্রেৰ যে ধার শোধ কবতে হবে সে টাকাও কিছু উঠল না। এও আমর। জানি দুই বংসর খুব जान वृष्टि **टर्गिष्ट्**न किन्तु राष्ट्रिटे य अन ना नियात একমাত্র কাবণ তা মনে হয় না। কেউ কেউ দলবিশেঘ বা ব্যক্তি বিশেষ বিৰুদ্ধ প্ৰচাৰ করেছিলেন যে এই ট্যাক্স কেউ দিও না, আমরা বিনা ট্যাক্সে জল আদায় করে নেব। ড্যাম যখন করেছে, সেটা মাথায় করে नित्य त्यत्व भातत्व ना, कन पित्व वांधा शत्व। এই প্রচার যে হয়েছিল তাও জল না নেয়ার একটা কাবণ, শুধু অনুকূল বৃষ্টিই একমাত্র কারণ নয়। কারণ বর্দ্ধমানে যে পুরানো ক্যানেল আছে সেখানে তার। ট্যাক্স দিয়ে জল নেয। সেটাব ৪ টাকার জায়গায় ৫॥০ টাকা রেটু করা হয়েছে, তথাপি লোকে দুবছর জল নিচেছ সেখানে জল নিচেছ কখন ? অনুকূল বৃটির সময়ই।

এখন এ বছরে কি হবে সেটা স্থির করার জন্য আমাদের এই মুরাফী পুজেক্ট সম্বন্ধে যে একটা পাল্লিক রিলেশণ্স কমিটী আছে সেই কমিটিকে ডেকে আমরা জিল্ঞাসা করেছি এই যে পরিস্থিতি, এতে কি করা যায় বলুন। কমিটির সভ্যদের তালিকা দেধনেই বুঝতে পারবেন এতে বিভিন্নমতবাদের প্রতিনিধিরা রয়েছেন—

ডি**ট্টি**ক ম্যাজিট্রেট্, বীরভ্ম; একসিকিউটিভ ইঞ্জিনিয়াব, ম্যূবাফী হেড় কোয়াট্ব্য ডিভিসন; এড্মিনিষ্ট্রেন্দ্র, মযুবাকী বিজাবর্তমের প্রজেক্ট; স্থপারেনেটাওং ইঞ্জিনিয়ার, মযুবাকী দার্ভে; চেযাবম্যান, বীৰভূষ ভি**ট্টি**ঈ বোর্ড : শ্ৰীস্কুবোধ বানাজি, প্রীডাব : বীবভম : প্রেসিডেণ্ট, বাব এসোসিবেশন, বামপুরহাট; এডিটাব, বীবভূন বার্তা; এডিটাব, সেবক, বীবভূম ; কমল কুমাব দাশ ; জনাব ইযাকুব হোসেন; শ্রীভূষণ হাসদা; জনাব মোদাসেস্ব হোগেন ; ডাঃ শুকিমাৰ শ্রীনিশাপতি মাঝি; জনাব আবদুল মজিদ; শ্ৰীযুত কুলপতি বানাজি; শ্ৰীযুক্ত কামদ। কিয়বর মুখাজি।

[10-10-10-15 a.m.]

আমাদের এই ২১ জন স্থায়ী মেশ্বাব এর মধ্যে ১৪ জন সে মিটিংএ উপস্থিত ছিলেন, এছাডা আরো ৬ জন বিশিষ্ট ব্যক্তিকে ডাফা হয়েছিল। ২১শে মার্চ ১৯৫৪ইং তারিপে মিটিংএ আলোচনা হয় যে আগামী বংসর আমরা জলকব সম্বন্ধ কি কববো। তাতে অনেক দীর্ঘ আলোচনাব পন সর্প্রমান্ত ক্রমে সিদ্ধান্ত হয় যে ইবিগেসন ম্যান্ত পুরোগ করা মার না কাবণ লোকে ভয় পায় কবে জল পাওয়া যাবে ক না পাওয়া যাবে আপে থেকে গভলপমেণ্ট ম্যান্ত পুরোগ কবা হোক। কাজেই সেখানে বাধ্যতামূলক করার জন্য এই ম্যান্ত যা আছে তাকে সংশোধন করা, দরকার।

তারপর এখানে অনেকেই বলেছেন যে ট্যাক্স কিছু কম করা হক। ৬১ থেকে ৭।।০ পর্যান্ত বিভিন্ লোক বিভিনুরকম প্রস্তাব এনেছেন সেই অনুসারে গভর্ণমেণ্ট একটা অভিন্যান্য করে এই বেঙ্গল ডেভলপমেণ্ট য্যাক্টকে সংশোধন করে ময়ুরাক্ষী এলাকায় প্রয়োগ করেছেন। তাতে লেখা আছে সবের্বাচচ হার ১০১ টাকা হবে। এই নিয়ে প্রচাব স্থক হল যে ট্যাক্স ১০\ টাকা করা হয়েছে। তাই পুনরায় এক ইন্তাহার ঘোষণা করা হ'ল যে এই বৎসর সর্বোচ্চ হার ৬॥০ টাকার বেশী হবে না। এখানে সর্বোচচ বলার প্রয়োজন এই জন্য যে হার নিদিট করা হল না। ডেভলপমেণ্ট ম্যাক্টএর ১৬ পুঠায় এই হার নিরূপণ করার পদ্ধতি আছে। যে এলাকায় জল দেবে৷ সেই এলাকায় শুধু জল দেবার জন্য যে হারে বাড়তি ফলন হবে সেই বাড়তি ফলনের মূল্যের অর্দ্ধেকের বেশী ট্যাক্স করা হবে না। এই বাড়তি. [The Hon'ble Ajoy Kumar Mukherji.]

ফলন কি করে ধার্য্য কবা যাবে ? **আমাদের ভারতের** বিখ্যাত

Statistical Institute of India— মেটা প্রফেসার মহালনবিশের, তাঁর হাতে আমরা এর ভার দোব এবং তাব জন্য যথেষ্ট টাকাও দেবো। তাঁরা সেখানে বাডতি ফলনের হিসাব ঠিক করে দেবেন। যেখানে জল দেওয়া হয়েছে আর তার পাশাপাশি জমিতে যেখানে জল দেওয়া হয়নি তার সঙ্গে তুলন। কবে বাডতি ফলন ঠিক করা হবে। বাজার দর যা হবে তাব উপব এই আয়ের হিসাব হবে। সেটা যদি ১৩১ টাকা হয় তাহলে কর তার আর্দ্ধেক হবে, আর সেটা যদি ৪০ টাকা হয় তাহলে আইনত ২০ টাকা ট্যাক্স করা যায় কিন্তু এই বংসর ৬॥০ টাকাব বেশী কববো না। এখানে অনেকেই অনেক রকম বেটএর প্রস্তাব করেছেন কিন্তু আমর। যদি সর্বোচ্চ হার ১০ টাকা বেঁধে না দিতাম তাহলে আইনত যেখানে ৪০ টাকা আয় হচেছ সেখানে তার অর্দ্ধেক নিতে পারতাম কিন্তু আমবা ১০ টাকার त्वनी त्वता ना, सूछताः अशात २।।० होका, ८,, ৫ টাকা বলার কোন মানে হয না। সেই জনা রেট বেঁধে দেওয়া হযনি। তাবপব দেখা গেল এই পাবলিক বিলেসনস কমিটিতে যাঁরা বিভিনা মতের প্রতিনিধিত্ব করেন তাঁবা সকলেই বলেছেন যে এটা বাধ্যতামূলক করা হ'ক। সেখানে আবো বলেছেন य এর হার ৬ টাকা থেকে ৭॥০ টাকার মধ্যে করা হক, সেখানে আমবা বলেছি ৬॥০ টাকার বেশী করবো না। এই সেচ পবিকল্পনাব লক্ষ্য হল যে সময়মত আমরা জল দিতে পাববো। এই ডেভলপমেন্ট য়্যাক্ট যা আমরা পয়োগ ক**রতে** চলেছি তাতে সেই এলাকায় জল নেন বা না নেন ট্যাক্স দিতে হবে। তথন আমাদেবও দায়িত্ব থাকবে, যে এলাকায় ঘোষণা করবো সে এলাকায় আমরা জল দিতে বাধ্য। সেই धना जामना थन एकाँ धनाका निरम्रिक, माज २৫ হাজার একবে যোঘণা কবা হয়েছে যে এই ডেভলপ-মেণ্ট য্যাক্ট অনসাবে জল দেওয়া হবে এবং সেখানে আমরা তিন কিস্তিতে জল দেবো। এছাড়া হাজার হাজাব বিঘা জমিতে আমরা জল দেবো যা ''ময়রাক্ষীর'' ভিতর পড়ে। সেখানে যে গব লোক দরখান্ত কবেছে তাদের আমবা জল দেবো। তাদের উপর আমরা এই ডেভলপমেণ্ট ম্যান্ট প্রমোগ করিনি। त्यथात्न देविरागम् गाछि शामाण कत्रा दात्। वद লোকে সেচছায় দরখান্ত করেছে, ক্যানালকর দিয়ে জল নেবার জন্য ছুটে আসছে কিন্তু আমরা সাহস পাচিছনা জল দিতে পারবো কিনা। যে জল দেবার

কণ্টাক ছিল তা দিতেই হবে। আমাদের ভ্যাম ব।
রিসার্ভয়ার না থাকায় আমরা বৃষ্টির জলকে ব্যারেজএ
ধরে সেই জল সরবরাহ করছি। সেই জন্য মাত্র
২৫ হাজার একর জমিতে জল দেবার দায়িজ নিয়েছি।
তাই আমরা বেশী জমির কণ্টাক্ত নিচিছ না।
তবুও এছাড়া আমরা ৪২,৭০০ একর জমিতে জল
দিয়েছি এবং দিতীয়বার জল দেবো।

[10-15—10-20 a.m.]

Dr. Monindra Mohon Chakrabarty:

যে জমিতে জল দেবেন বলেছেন তা দিতে পারবেন ত ?

The Hon'ble Ajoy Kumar Mukherji:

না, আমরা মাত্র ২৫ হাজাব একর জমিতে জল দিতে বাধ্য। আর বাকী ২৪,৭০০ হাজার একব জমিতে একবার জল দিয়েছি, দিতীয়বারও জল দিতে পারবো। আর যদি না পারি তবে ট্যাক্স কমে যাবে। यपि पिटा शांवि एटव यामाप्तव ७॥० होका करव ট্যাক্স দেবেন সেটা ক'ট্রাক্টএ লেখা আছে। এখানে পাবলিক বিলেসনস কমিটাৰ মত নিমেছি। কঘকবাও সেচছায় ক'ট্রাক্ট কবছেন আমাদেব সঙ্গে। সেই জন্য আমরা জনমত অগ্রাহা কবছি বা জনমত গ্রহণ করছি না এ পুশুই এখানে উঠে না। এখানে আমরা ইরিগেসন য্যাক্ট অনুসাবে জল দেবো। এই ৪২,৭০০ একর জমিতে আমবা জল দিয়েছি: দ্বিতীয়বাব জল দেবে৷ সে জল আমাদেব আছে: আব তা যদি না দিতে পারি কিম্বা এই যে ২৫ হাজার একর জমিতে যদি কোখাও উচ জমি বা পকেটস থাকে যেখানে ক্যানেলেব জল পাচেছ না বা কম পাচেছ তারা যদি দর্থাস্ত কবে তাহলে যদি অলপ পায় তাহলে ট্যাক্স কম হবে আব যদি একেবারেই না পায় তাহলে ট্যাক্স মাফ হয়ে যাবে এই ব্যবস্থা ইরিগেসন ম্যাক্ট ও ডেভলপণ্টে য্যাক্টএ দইটা আইনেব মধ্যেই আছে।

এই হ'ল মোটামুটি বক্তব্য আব একটা কথা বোলে রাখি সময় অভাবে এ সেসনে সে বিল আসছে না। সে হ'ল বেঙ্গল ডেভলপনেণ্ট এয়াক্ট, যেটা আসল, সেইটাব সর্বাঙ্গীন পুরোগ শুধু সেচে না। অন্যান্য ডেভলপনেণ্টএর কাজেও পুরোগ করবার জন্য বেঙ্গল ডেভলপনেণ্ট এয়াক্টকে নেলে সাজা হচেছ। তার বহুসংশোধন হচেছ। সেই বেঙ্গল ডেভলপনেণ্ট এয়াক্ট বেঙ্গল ডেভলপনেণ্ট এয়াক্ট এ বছর এসেমগ্রিতে সময় অভাবে আসবে না। সেটা যেদিন পাশ হয়ে যাবে সে দিন এই ছোট "এনেশুনেণ্ট" ডেভলপনেণ্ট য়াাক্ট

তা আর থাকৰে না। পুশন উঠছে একই সময়ে দুনা বিষয়—বড়টা থাকতে এটা কেন আনা হ'ব। ইবিগেশন ডিপার্টমেণ্ট অভিন্যাণ্য জারি করিয়েছিল মনি এই বিলটা পাশ না করা হয় তাহলে অভিন্যাণ্য আইন অনুসারে ১৫ই অক্টোবরএর পরে ঐ অভিন্যাণ্য আব বনবৎ থাকবে না, কাজেই ঐ অভিন্যাণ্যকে চালু রাথতে হ'লে এই "ডেভলপদেণ্ট এমেগুমেণ্ট এাট্টা" আনার প্রমোজন ছিল। ঐ "বেঙ্গল ডেভলপদেণ্ট এটাই" আসল, সেটা এ সেসনে এল না; কাজেই এটা যদি না আসে তাহলে এই অভিনাণ্য গোলমাল হয়ে যায়, সমন্ত ব্যবস্থা ওলট পালট হয়ে যায়। সেই জন্য আমি এই ছোট একটা সংশোধন এনেছি। আশা করি সেটা গ্রহণ করবেন।

[10-20-10-25 a.m.]

Dr. Monindra Mohan Chakrabarty: Sir, I beg to move that the Bill be circulated for the purpose of eliciting opinion thereon by the 7th October, 1954.

Sir, I have heard with attention the speech just delivered by the Hon'ble Ajoy Kumar Mukherji. I have moved this amendment for circulation for three reasons. The purpose of the present Bill is to fix up a maximum rate for the area now being irrigated by the Mayurakshi Reservoir. You are aware that the benefits of these irrigation schemes have not been properly understood by those for whose benefit they have been created, i.e., the cultivators. Sj. Mukherji has just now stated that the cultivators there, those who should take their waters from these, are a little sceptical about this because of their gnorance and various other factors. They have got to be persuaded first of all that the benefits will occrue to them by the use of these rrigation facilities. To do that you have to introduce them to these facilities and, therefore, the rate should not be prohibitive. Now, he Irrigation Minister has himself idmitted that the rates in the nearw areas of Burdwan district are nuch lower. My point is that dthough as the Minister has just stated representatives of various ublic opinions, various interests ormed themselves into a committee and have recommended ertain rates, I think, in the first instance the rates should be much

lower. Shri P. C. Sen, I read one of his speeches reported Jugantar yesterday, himself has admitted that although the crore Mayurakshi project is now in operation, it is very difficult to realise the revenue. The reason is that the people who are in the locality do not understand the implications of the project. they have got to be persuaded first of all. They have to be induced to use these projects, the benefits of these projects and so on. Irrigation Minister himself stated just now that this year the rains have failed. Now naturally it is something like a coercion because if you fix the rates at a very high figure it will be something like coercion and I do not think it is the purpose of the welfare State to exercise coercion in a welfare project like this. I think for an experiment like this later on I have put an amendment for reducing the rate or fixing the rate at Rs. 4-8 per acre. That should be a temporary measure and I think the Bill should be circulated for eliciting public opinion in that area and we have also got to collect statistics as to how far Government will be able to implement this project, how much water they will be able to give actually to the cultivator and so on.

Before that I do not think that the Hon'ble Minister should consent to the rate being fixed at this very high rate. Sir, that is the purpose for which I have moved this motion for circulation. (Sj. Monitosi RAI CHOUDHURI: What is the basis of your calculation?) In Burdwan the rate is Rs. 4-8. (Sj. Monitosh May not the May, but we RAI CHOUDHURI: conditions differ?) have got to induce these cultivators to accept the rate. We shall have to do that slowly. (The Hon'ble AJOY KUMAR MUKHERJIH Is it a very high rate—Rs. 6-8?) It appears to be so.

[10-25-10-30 a.m.]

Janab Abdul Halim:

নি: চেযারম্যান, স্যার, মাননীয় সেচমন্ত্রী শুনীযক্ত অজয় মুখার্জী মহাশয় যে বিল এখানে এনেছেন [Janab Abdul Halim.]
"ভেতলপনেণ্ট এনেওনেণ্ট বিল" সে সম্বন্ধে বলেছেল
বে মযুরাকী এলাকায় জলের জন্য ক্যানাল হচেছ,
সেই ক্যানালের জল ব্যবহার হবে, এবং কর ধার্য্য
করা সম্বন্ধেও তিলি বলেছেল। তিলি বলেছেল যে
১৬ কোটি টাকা এই বিশাল পরিকল্পনায় বরচ
হবে এবং তাতে ৬ লক্ষ একর জমিতে জল দিবার
ব্যবস্থা হবে বান ও বারিকের জন্য। এবন ২৫
হাজার একর জমিতে জল দেওয়া হয়েছে এবং তা
ব্যতীত ১ লক্ষ ২০ হাজার একর রবি শস্যের জমিতে
জলের ব্যবস্থা হবে।

পুখনে আমি এই বিল সম্পর্কে বল্তে চাইছি যে এখন এই বিল "গার্কুলেশন"এর জন্য দেওয়া উচিত, এবং আরও অনুরোধ ক'রব যে এই বিল আপাততঃ উইখড় করুন;কেননা ট্যাক্স নির্ধারণ সম্পর্কে "ট্যাক্স এনকোয়ারি কমিটি" বসেছে, তাদের রিপোর্ট আগে পাওয়া যাক, তার পর ট্যাক্স নির্ধারণ সম্পর্কে মতামত দেবেন। সেই রিপোর্ট না বেরোন পর্যান্ত কোন নুতন কর ধার্যা করা উচিত নয়।

ষিতীয়ত: কর নির্ধারণ সম্পর্কে যাননীয় মন্ত্রী
মহাশ্য বলেছেন যে "ডেভেলপমেণ্ট" সহদ্ধে একটা
সামপ্রিক বিল আসছে। তাতে কেবল জলকর নয়,
অন্যান্য "ডেভেলপমেণ্ট লেভি" সম্পর্কেও আলোচনা
ছবে। কাজেই যখন একটা বড় বিল আসছে সেই
পরিপ্রেক্ষিতে এই বিল স্থাগিত রাখা উচিত। তাছাঙা
ট্যাক্স আদায় করার ব্যাপারে গভর্ণমেণ্টের কোন
অস্থবিধা হবে না, কেননা "ইরিগেশন এ্যার্ক্ত" আছে,
সেই "ইরিগেশন এ্যার্ক্ত" অনুযায়ী ট্যাক্স আদায়
করতে পারেন।

এখন কথা হচেছ মাননীয় মন্ত্রীমহাশয় বলেছেন সেখানকার কৃষকদের স্থবিধার জন্য, তাদের চাদের ফসল বৃদ্ধি হওয়ার জন্য সেখানে এই সমস্ত "ডেভেলপমেণ্টের" পরিকলপনা হয়েছে। ১৯৫২ সালে উনি এখানে বলেছিলেন যে রাজনৈতিক পার্টির আন্দোলনের ফলে তারা নিমেধ করেছিল যে জলের জন্য ট্যার্ক্ত দিও না। এবং তার জন্য সেই জনাবৃষ্টির এলাকা বীরভূমে চাম হতে পারেনি। কান্দেই কৃষকেরা জল চাম। ক্যানালের জল তারা সেবারেও চেমেছিল, কিন্তু পুথমে তারা আপস্তি ভূলেছিল যে এত অতিরিক্ত কর বহন করতে পারব না। সেবারে ১০৯ টাকা কর ধর্ম্য হয়েছিল। এখানেও সে পুশু তুলেছিলাম এবং সেবার কর ৭।। টাকা করা হয়েছিল এবং জনেক চামী সেই জল নিতে গিয়েছিল।

The Hon'ble Ajoy Kuma Mukherji:

পুথমে তারা জল নেয় নি।

[10-30-10-35 a.m.]

Janab Abdul Halim:

প্রথমবারে নিয়েছিল, তার পরে নেয়নি।

The Hon'ble Ajoy Kumai Mukherji:

পুথম বারে আদৌ নেয়নি, দিতীয় বারে ২২ একরের জল নিয়েছে।

Janab Abdul Halim:

ওর বেশী নিয়েছিল হিতীয়বারে। মেখানে জলের পুরোজন আছে কিন্তু জল পাচেছ না; যেখানে জলের কর ছিল না সেখানে বাধ্যতামূলকভাবে লেভি হবে এ জনাই তারা নেবে না বলেছিল এবং ট্যাক্সও আদায় হয়নি। তাছাডা ময়ৢরাফী সেচ পরিকলপনা এখনও সম্পূর্ণ হয়নি; উনি বলেছেল ১৯৫৬ সালে এই পরিকলপনা সম্পূর্ণ হবে এবং তার জন্য যে ১৬ কোটি টাকা খরত হয়েছে তা আদায় করতে হবে।

পূর্থমত দেখতে হবে কিসের ভিত্তিতে ট্যাক্স আদায় হবে, কর নির্দারণ হবে ? ক্রপ কার্টিং নার্ভে করে বাড়তি ফলন যা হবে তার উপর কর নির্দারণ করা হবে কিন্তু আঞ্চ পর্য্যন্ত কোন ডাটা আমাদের সামনে নাই। ৬।৭ বংসর ক্রপ সার্ভে হয়ন। সিভিল সাপুাই ডিপাটমেণ্ট থেকে যে গার্ভে হয়েছে তা নির্ভুল নয়। তার অবনক ক্রাট্ট ছিল।

(THE HON'BLE PRAFULLA CHANDRA SEN:

আমরা কোন বার্ভে করিনি ইণ্ডিয়ান ইাটিসটিকের ইনষ্টিটিউট করেছিল।) মাননীয় সভাপতি মহাশ আমরা জানিনা কি ভাবে কর নির্দ্ধারণ করা হ*ে*া সরকার বলেছেন এবং যুক্তি দেখিয়েছেন ডেভলপমেণ্ট হবে, জল ব্যবহার করে ফসল বে-হবে অতএধ কৃষকদের ট্যাক্স দিতে হবে। ৩া वनष्टिन कल वावशांत्र कत्रत्न कमल यथन विनी श তখন কৃষকর। কেন ট্যাক্স দেবে না। এখানে একা বিচার্য্য বিষয় জমিতে জল দেওয়ার ফলে সত্যই বি কোন ডেভলপমেণ্ট হচেছ। আগে একর প্র ২৭৷২৮ মন ধান উৎপনু হতো, এখন সেখা कनन करम शिरा ১৫।১৬ मन १८०७, ताश्रीत गी **ফসল বেশী উৎপ**ন্ হয় তাহলে তাকে রেস্টোবেস বলবো। ডেভলপৰেণ্ট হচেছ না যা কষে গিয়েছি তাকেই পূর্বহারে ফিরিয়ে নেবার ব্যবস্থা হচেছ সেই জন্য পূর্বেতন ফসলের পর্য্যায়ে না পৌহা

প্র্যান্ত কর বার্ব্য করা সরকারের উচিত হবে না। ভারপর যদি ক্সল বাড়ে তাহলে সেখানকার কৃষকদেরই ত্র উনুতি হবে না, তার ফলে সমগ্র দেশেরই उत्तर्भ श्रव । छ। यपि श्रव छाश्रत अनु क्यारनम এলাকায় কর ধার্য্য করছেন কেন ? ফসল উৎপন त्नी इतन, क्रम्थत्र एडजनभाराके इतन प्रता धन সম্পত্তি বৃদ্ধি পাবে, তবে শুধু সেখানকার কৃষকদের क्त वहन क्वां हार किन श जाएंगे कान श्रथक কর ধার্য্য করার প্রয়োজন আছে বলে আমি মনে কবি না। যদি কোন কর ধার্য্য করতেই হয় তাহলে তথু কৃষকদের উপর করতে হবে না তার জন্য যারা স্থবিধা ভোগ করছে তাদের নিকট থেকেও আদায় করতে হবে। আপনার। জমিদারদের ক্ষতিপুরণ দিচেছন--বহু বছর ধরে তাদের অবহেলার জন্যই জৰির ফশল এত কমে গিয়েছে স্মৃতরাং জমিদারদের ক্ষতিপ্রণের টাকা থেকে ট্যাক্স আদায় করা হবে না কেন? তারপর কর নিন্ধারণের নীতি কি হবে? क्रांत्नि बक्रभीटक्करभंद अंबराज्य क्रमा (मह क्रव আদায় হবেনা ক্যাপিটাল এক্সপেণ্ডিচার এবং রানিং **थरा এই দুই थेब्रा जामाग्र कता शरद: क्यार्ट्स** রক্ষণাবেক্ষণের জন্য কব প্রয়োজন হতে পারে সেই বক্ষণাবেক্ষণের জন্য ১॥০ টাকার বেশী কর হতে পারেনা। ক্যাপিটাল এক্সপেণ্ডিচার (১৬ কোটী টাকা খরচ হয়েছে) ষ্টেট বাজেট থেকে তা আদায় করা উচিত। ক্যাপিটাল ম্যাকাউণ্টএর টাকা ক্ষকদের নিকট আদায় করা অন্যায় ও অসঙ্গত হবে। তারপর দেশের সাধারণ উন্তির দরুণ বাজেটের আয় বদ্ধি পাবে এবং সেই থেকে ক্যাপিটাল ম্যাকাউণ্টএর টাকা আদায় করা উচিত।

[10-35—10-40 a.m.]

তারপর রেট যা ধার্য করা হয়েছে তা অতিরিক্ত ধবা হয়েছে। বীরভমের দরিদ্র কৃষকদের এই করভার বহণ করার ক্ষমতা নাই। অনাবৃষ্টির জন্য কৃষকরা জল নিমেছে। জল তারা নিতে চায়, চোখের সামনে যখন धीन मदत्र योटिष्ठ उर्थन कल मारी करा जनगांग नग्र। এবং সেখানে সরকারের কর্ত্তব্য কৃষককে জল সববরাহ করা। কিন্তু কৃষকরা আমাদের জানিয়েছে যে তারা এত কর দিতে সক্ষম নয়। তার। আরও জানিয়েছে যে বোলপুর অঞ্চলে নানুর অঞ্চলে এমন জায়গায় कारिन कांगे। इरवर्ष्ट् य राश्चीत क्वन श्रीष्ट्रांत्र ना। এবং অনেক জায়গায় ক্যানেলের প্রয়োজন নাই। খামরা জানি এই সমস্ত ক্যানেল কোন পরিকলপনা অনুসারে কাট। হয়নি। আজকে বিহা প্রতি যদি ১।০ কর ধাষ্য হয় এবং জমির উৎপাদনের ১২ থেকে ১৫ পার্সেণ্ট যদি শুধু জলের জন্য দিতে হয় তাহলে কৃষক বাঁচবে কি কোরে? তার উপর জমিদারের বাজনা আছে, ধ্বণ পরিলোধ আছে অন্যান্য বরচ
আছে। এত করের বোঝা চাণী কিছুতেই বহন করতে
পারবে না। এটা সরকারী রাজস্ব থেকেই রক্ষণাবেক্ষপের বর্ষর বহন করা উচিত। আমরা জানি
চীন প্রভৃতি দেশে বড় বড় ক্যানেল কাটা হরেছে
এবং সেচের জন্য ব্যবস্থা হয়েছে কিঙ সেখানে
সরকার সেচের সব বর্ষর বহন করেন।

তবুও যদি সরকার রক্ষণাবেক্ষণের জন্য কর আদাম করা প্রয়োজন মনে করেন তবে এক্সপার্ট-দের মত গ্রহণ করা উচিড; এবং তাদের মতানুসারে তথু রক্ষণাবেক্ষণের জন্য কিছু কর ধার্য্য করা উচিত? বিশেষজ্ঞদের মতে মেইনটিনেন্স কসট ১০০ টাকার বেশী পড়তে পারে না। যদিও আমি কোন রক্ম কর নির্দ্ধরণের বিপক্ষে তবুও যদি রক্ষণাবেক্ষণের জন্য কর ধার্য্য করা দরকার হয় তাহলে ২ টাকার বেশী কোন মতেই হওয়া উচিত নহে।

তারপর বক্ষেশ্র দামোদর ইডেন ক্যানেল এক পর্যায়ভুক্ত ছিল। ৪॥ টাকার বেশী কর দিতে হতো না। এই বিলে "বক্ষেশ্র ক্যানেলকে বের করে এনে ময়ুরাক্ষীর সঙ্গে জুড়ে দেওয়া হয়েছে অধ্যাৎ ১০ টাকা ট্যাক্সএর ব্যবস্থা কায়েমী করা হচেছ। এরই বা অর্থ কি ?

ইহাই স্বীকৃত নীতি, যে সাধারণ রাজস্ব থেকে সেচের ববচ বহন করা। এর জন্য কোন পৃথক কব বসান হয় না। সরকার যদি সেচেব মূল্য হিসাবে কৃষকদেব উপর কর বসাতে চান তাহলে ব্যবসায়ের স্বীকৃত নীতি অনুযায়ী উহা সকলের উপর বাধ্যতা-মূলক করা চলে না। আমি সরকারকে জানিয়ে দিচিছ যে সরকার যদি জনমত উপেক্ষা করে দরিফ্র ক্ষকদের উপর অসক্ষত করের বোঝা চাপিয়ে দেন তাহলে ব্যাপক কৃষক বিক্ষোভ দেখা দিবে। কৃষকেরা অসক্ষত কর কিছুত্ইে বরদান্ত করেবে না।

[10-40-10-45 a.m.]

8j. K. P. Chattopadhyay: Mr. Chairman, Sir, this House as well as the Assembly have passed an Act for abolition of zemindari and to give certain protection to bargadars but some of the benefits of these Acts are likely to be nullified by the present amendment, in particular areas. You are aware that long ago prior to 1860, the lands of West Bengal were fertile tracts which were irrigated by the rivers that flowed through them and on that account they were densely populated

[Sj. K. P. Chattopadhyay.]

Eastern Bengal. This is borne out by census statistical figures. tax rate on land was on that account much higher in Western Bengal than in the (at present) more fertile area of Eastern and Northern Bengal. That again is borne out by Government figures. But due to the development of railway bunds and other embankments and various other factors the fertility of the soil gradually decreased, health also suffered, density of population also became relatively less in Western Bengal than in Eastern Bengal. The rental, however, like the orders of the officials remained unchanged. They remained at the high figure. If you refer to that small book by the Hon'ble Azizul Haque, "The Man Behind the Plough" you will find that while production failed, the rental remained high. This is the background. Against that background you are asking for a fairly large amount of additional taxation. Now there are two defects. Minister has Hon'ble not yet assessed the likely benefit. Therefore, he does not exactly know what benefit is likely to accrue. I think many of the members of this House who were connected with the national struggle prior to 1942 will remember that when a similar ill-advised canal tax was imposed for the waters of the Damodar Canal, it led to a powerful satyagraha campaign and a tremendous agitation by the peasants' organizations. It was admitted as unjust and many of those on the other side, perhaps the Hon'ble Irrigation Minister himself were associated with that agitation. Let us hope that in this case such a mishap will not occur. This is what The maximum the want to avoid. Hon'ble Minister has said proposed to be fixed on the basis of half the excess production of crop. For that purpose he has stated that Indian Statistical Institute will be asked to carry out a survey. Well and good so far as survey is concerned. But what is the basis of this half of the excess production? Let us suppose we get the actual figure of the excess production although that will be open to some fluctuation. Perhaps the Hon'ble Minister may overlook the fact that there are deviations from the normal pattern that was given by the Statistical Institute. But apart from that how can you chargehalf the excess production as the maximum rate.

[10-45—10-50 a.m.]

You have passed an Act in which you say that the bargadars should not be exploited in the fashion they have been suffering so long. Bargadars had to pay half the crop for the land that they have got. Owner gave the land and, therefore, he claims half the crop. This is admittedly wrong. The excessive cost of cultivation is ignored. In this case Government give water and Government will get half the excess crop and, therefore, you are following the same logic as the jotedars do in case of the bargadars which has just been condemned by this House and the Assembly. Long ago, this question was raised in the Punjab Assembly when India was undivided. A rate of onefourth of the produce was fixed. Admittedly it was extremely unfair to charge as rent one-half of the total crop produced. The reason is very simple. Roughly, one-third of the produce is covered by the cost of cultivation. Government supply water but does it mean that no excess cost is incurred by the peasants for the extra production? That is wrong. The excess cost has not been taken into account. After deduction of excess cost you can charge one-fourth. what the Punjab Government finally agreed to under British rule. May I remind the Hon'ble Minister of that fact and say that one-fourth of the crop could be taken as tax. I would, therefore, suggest that the figure—the maximum tax should be lowered. Roughly in our view it should be one-fourth of the excess production. That should be the basis of calculation. I think this is nothing unreasonable. It is in consonance with what has

already been accepted in the case of share of profits.

8j. Satya Priya Roy:

সভাপতি মহাশর, আমাদের পর্ত্ত বিভাগের ভার-পাপ্ত মাননীয় মন্ত্রী বলেছেন—ব্যারাজের কাজ শেষ হয় নাই, বর্ষার জালের উপর নির্ভর করেই সমস্ত ল্লমিতে **জল সর্বরাহ করতে হয়। বর্**ষার জলের ইপর নির্ভর করে এই রকম একটা ডেভেলপমেণ্ট বিল এনে ৰাধ্যতামলক ভাবে খরচ চাওয়া সরকারের পক্ষে সমীচীন হবে না এবং এই রকম একটা লাযিত্ব গ্রহণ করাও ঠিক হবে না। বর্ষার জল কোন বছরে কতটা, বা কি পরিমাণ হবে তার কিছু নিশ্চয়তা থাকৰে না। বিশেষ করে আমরা সহরাঞ্চল নাদ করি, এবং জ্ঞানি যে কৃষক যে মাঠে সোনাব ফসল ফলাচেছ, সে যে শুধু তার নিজের জনাই সে ফগল করছে তা নয়. সে ফগল সমস্ত দেশের খাল্য সমস্যা সমাধানের জন্যই সে করছে। বাস্তবিক তাব সমস্ত ফসলের সম্পূর্ণ মালিক সে নয়, এ প্রমাণ হয়ে গেছে। কারণ ফসলের দাম যখন বেড়ে যায় তখন সরকার বাধ্য হন তার দাম নির্দারণ করে দিতে, আজকে সে যে সোনার ফসল ফলায় তার থেকে যদি কিছু বেশী ফলায় সেই জ্বন্য তার অর্দ্ধেক সরকার লেভি করে নেবেন জল সরববাহের জনা--এটা অত্যন্ত অসঙ্গত ও অযৌক্তিক হবে। এতদিন পর্যান্ত জোতদাবরা অর্দ্ধেক নিয়ে যেত জমির মালিক বলে: আজকে আবার সরকারই জোতদারের অবস্থায় এসে দাঁডাচেছন *জাল স্ববরাহের জন্য*। কাজেই জল স্ববরাহের জন্য যে ফ্র্যুল বাড়বে তার অন্ধেক যে নিয়ে নেবার জন্য তাঁরা যে সংক্ষলপ করেছেন এটা তাঁব। অসক্ষত কাজ করছেন। কেবল জল স্বব্বাহের দ্বারাই ফসল বাডে না। তার অনেক कार्य प्याष्ट्र। य कार्यश्विन ना श्रोकल क्रमतन्त्र বৃদ্ধি হবে না। এক বছর থেকে আর এক বছরে যে ফসল বাড়বে তা নির্ভর করে প্রাকৃতিক কারণের উপর, কৃষকের আধিক অবস্থার উপর এবং অন্যান্য খনেক কার্য্যকারণের উপর। তাছাডা এবছরে পূর্ত মন্ত্রীমহাশয় হিসাব করেছেন যে এবছরে ৭।। টাক। ট্যাক্স ধার্য্য করবেন। তা যদি তিনি করে থাকেন তাহলে ১০১ টাকা সব্বোচচ হার নির্দারণ বরবার কারণ কি? আজকে যে ফসল হচেছ, আগামী দিনে অল সরবরাহের জন্যই ফসল যে আরো বাড়বে শে কথা কোন রকমেই কলপনা করা যায় না। আর আজকের দিনে ফসলের যা দাম তার চেয়ে ^{দাম} বাড়বে এ কথাও আমরা ভাবতে পারিনা, এর ^{চেয়ে} বোৰ হয় কমেই যাবে। স্বার এর চেয়ে বেড়ে ^{গেনে} দেশে যে ভীষণ দুর্দৈ বের স্মষ্ট হবে তা সকলেই

বুঝতে পারি। তাহলে ৬॥০ টাকা যা এবছরে নির্দ্ধারিত করা হল ভার চেয়ে বেশী সরকারকে কেন আদায় করতে দেয়া হবে ? তার পরে দশ টাকা হারে, কোন জমিতে কড়াক কসল বাড়ল ভার হিসাব পত্ৰই বা কে করবে। এ সমস্ত বিষয় সরকারী কর্মচারীদের হাতেই থাকবে। তাহলে পর-সরকারী কর্ম্মচাবীরা এর ভিতর দিয়ে যে নানা রকম দ্ণীডির পুশুর দেবেন না তাব ভরসাকিং আমরা সাধারণ ভাবে আতন্ধিত হচিছ যে, কোনরকম ডিসুক্রিসন খাজনার ব্যাপারে, তা সে বেশী বা কম হ'ক সেটা সরকারী কন্মচারীর হাতে থাকলে নানারকম দুণীতির পুশুষ পায়। শুধু পুষাণ করবার জন্যই ১০ টাকা করে খাজনা দিতে হবে। তাছাড়া ৬ টাকা হারে বা ৫ টাকা হাবের প্রশ্ নয় এদিক দিয়ে ম্লগতভাবে এই ট্যাক্স ধার্য্য করবার জন্য আপত্তি জানাচিছ। যদি বাস্তবিকই চাষীর জলের প্রয়োজন হয় তাহলে তার ইচ্ছামত ইবিগেসন ম্যাক্টএর কণ্ট্রাক্ট বেসিসএ জল নিতে পারে এবং এই ব্যবস্থাই চালিয়ে নিমে যাওয়া উচিত যতদিন পর্যান্ত বাঁধ শেঘ না হয়। বাধ্যতামূলকভাবে ট্যাক্স আদায় করার প্রচেষ্টা নিতান্তই অসমত এবং আঞ্লিক ভিত্তিতে বাধ্যতামূলক ট্যাক্স আদায় করা অযৌজিক ও অবৈজ্ঞানিক। যে জমিতে জল নেবার প্রয়োজন আছে তাবা জল নিতে পারে এবং তাদের কাছ থেকে নিতে পারেন। স্থতরাং স্বেচ্ছান্ন যাতে তাবা জ্বল নিতে পারে গেই ব্যবস্থা**ই** সরকারের করা উচিত। নীতিগতভাবে এই রকম ট্যাক্স ধার্য্য করার প্রতিবাদ জ্বানাচিছ।

 $Bill_{\theta}$

[10-50—10-55 a.m.]

Mohitosh Rai Choudhuri: Sir, I have been listening to the speeches delivered on the side of the Opposition very carefully. For once, although sitting on the side of the Government, I agree wholeheartedly with the views expressed by my friends. I will request them to move a resolution here and now praying to God, requesting God, to endow Dr. B. C. Roy in the State and Pandit Jawaharlal Nehru in the Centre with the power of producing miracles like Aladdin's Wonderful Lamp. Sir, this time, and for the last two years also, I have listened to one particular kind of reasoning on the part of my friends belonging sometimes to the Opposition and sometimes also to the Congress side. They desire that everything should be done by

[Sj. Mohitosh Rai Choudhuri.] the Government and by others for the amelioration of the condition of the people, but the people must not be made to pay a farthing for this. Now, this is a most desir-able thing, and I for one would welcome it if such a thing were ever possible. Therefore, I would ask my friends to move God. Now-adays sometimes we make applications to the High Court, to the Special Bench, either praying for an injunction or praying for some specific act to be done. Let my friends move God to endow them with the wonderful lamp. In the meantime we must put our heads together and see what could be done to do things in conformity with the realities of the situation.

[10-55—11 a.m.]

Sir, the sum and substance of the proposal which has been put forward under the Bill is this that as the State had to spend a huge amount of money for digging certain canals so that the people might get the benefit of irrigation-indeed a mint of money had to be spent for this—the amount should be realised from the people so benefited. Now if you do not agree, where is the money to come from? previous occasion I moved a resolution asking Government to introduce some sort of tax on the people who could bear in order that education might be benefited. I was confronted with the same argument from the side of the Congress. Nobody would be willing to foot the Bill. I put the same question to my friends here and nowwhere is the money for the canal to come from? Have the Government any purse of their own? There has been for a very long time a wrong impression among those of my friends who are educationists. As a journalist, for over 18 years connected with the Amrita Bazar Patrika as an associate editor, I was used to be confronted with the same argument. Every time we were asked to oppose any proposal of taxation we were told to ask Government to

find out the money for doing this thing or that thing as if the Gov. ernment held unlimited funds in their sleeves. Now where is $-\mathbf{t}$ he money required by a State for any purpose to come from? Finance of Government may be obtained either by issue of notes, as is done during the war, or by taking away money from those who have got it. But there is a limit to the latter process as also there is limit to the former process. As the Government have no independent source of income, it is the people who must pay for the improvements which are effected. Now the question is this whether the benefits which would accrue to the people should be paid for by the people who are directly benefited by them or somebody else would pay for them. Of course, Sir, I shall be very glad if I get benefit without having to pay for it. I agree with my young friend Dr. Chakrabarty and still younger friend Mr. Halim that it would have been very nice if we could get everything which we desire without having to pay for it. That would be a most welcome thing. But, Sir, under the sun nothing of this kind happens. Therefore, the only question we have to consider is whether the amount of taxation proposed in this Bill is reasonable or not. listened very carefully to the speech delivered by the Hon'ble Minister. I do not find in it anywhere that the Minister has that the maximum which has been mentioned in the Bill is going to be imposed.

[11—11-5 a.m.]

In the Bill also there is nowhere any mention that that will be the amount which will be levied. What is then the objection? The time for making any objection will come when the Government imposes a rate of taxation, which the people of the locality are unable to bear and then if I am convinced Mr. Mukherji has levied a rate of taxation on the poor people of Birbhum, a rate which they are unable to bear, which it is unreasonable for them to bear, I will join my friend

Mr. Halim who belongs to Birbhum believe—I am also related Birbhum-I will join with him and make a protest although I belong to the Government side. before that, you should not necessarily make this sort trivolous objection. Do not for Heaven's sake create this mentality in the country that everything is possible, everything should be done, everything can be done by Government without people having to pay for it. I say again do not create this mentality. Do not forget that Government have no separate purse of their own. With these words, Sir, and particularly in view of the facts stated by the Minister, that the idea of this compulsory levy had originated in a committee on which there were many influential responsible men, representatives of public, and as there has been contradiction on the side of mv friends of the statement that this levy has been proposed by a nonofficial committee, there ought not to be any iota of doubt in the mind of anybody about the fact that public opinion is behind the proposal. I would oppose the motion for circulation and ask the House to accept the original motion.

[11-5—11-10 p.m.]

Sj. Kamada Kinkar Mukherjee:

মাননীয় অধ্যক্ষ মহাশয়। মাননীয় সেচ মন্ত্রীমহাশয় যে বেঙ্গল ডেভেলপনেণ্ট এমেগুনেণ্ট বিল এনেছেন আমি তা সমর্থন করছি এবং প্রথমে এই হাউসে আমি জানাতে চাই যে আমাদেব জেলার অধিকাংশ কৃমকের সম্মতিতে এই ট্যাক্স ধার্য্য হয়েছে। (জনৈক সদস্য; গণভোট নেওয়া হয়েছে কিং) গণভোট নেওয়া হয়নি। তবে জেলাব যারা সংবাদ বাবেন তাঁরা জানেন যে অন্যপক্ষে অনেক চেষ্টা কবা হয়েছে, দরিদ্র কৃষকের কাছে টাদা নিয়ে বলা হয়েছে যে তোমাদের কর দিতে হবে না, আমরা করের ব্রবস্থা ক'রব; কিন্ত তাতে কতকার্য্য হয়নি।

গত এপ্রিল মাসে সাঁইপিয়ায় মিটিং করা হয়, সেচ মন্ত্রীমহাশয় করেন এবং জেলার লোকেরা তাতে একত্র হ'য়ে কর নির্দ্ধারণ করার ব্যবস্থা ঠিক করেছেন।

তারপরে ওদের দল কৃষকদের কাছে তিলাইয়ায়
নিটং করেছিলেন এবং বলেছিলেন যে তোমাদের

ট্যাল্প লাগৰে না, আমাদের কিছু ধরচ দাও, আমর। নিটিং কোরে এই ট্যাল্প বন্ধ কোরে দিচিছ। সে ব্যাপার আপনিও জানেন।

তার পরে স্যার ভাপনাকে জানাতে চাই যে এই কর নির্ধারণের যে সভা হয়েছিল তাতে তাঁরা সদলবলে উপস্থিত ছিলেন। সেখানে সেস আদায় না হয় এই ব্যবস্থা করবার জন্য তাঁদের দলেব কিছ লোক উপস্থিত ছিলেন এবং তারপর একটা সম্মেলনেরও ব্যবস্থা হয়। সেই সম্মেলনে তাঁদের জিজ্ঞসা করা হ'ল যে আপনারা বলুন ট্যাক্স দেওয়া উচিত কি না। তখন তাঁরা সেখানে ৰললেন যে ট্যাক্স দেওয়া উচিত. তবে আমরা এখানে বলতে চাই না। সেখানে ভয় কিছ হয়ত ছিল। সেখানে বললে তাদেব দল ভেক্সে যাবে এবং হয়ত মিধ্যা প্রচার নষ্ট হবে। সে সভার মাননীয় মন্ত্রীমহাশয়ও উপস্থিত ছিলেন। এখানে অধ্যক্ষ মহাশয়কে জানাতে চাই যে সেখানে ওদলের লোকও উপস্থিত ছিলেন এবং দলের নেতাও সেখানে ছিলেন। তিনিও স্বীকার করেছেন। তা ছাড়া আর একটা মজা যে সাধারণভাবে বলা হয়েছে খাল যখন কাটা হয়েছে খাল ত বন্ধ কোরে দিতে পারবে না। কাজেই জল না দিয়ে যাবে কোখায়? আপনারা আরও কিছ দিন অপেক্ষা করুন, ট্যাক্স দিতে হবে না। তাসত্বেও জেলার চাঘীবা সে কথা শোনেনি তার কারণ এবার ময়রাক্ষীর কম্পালসারি এরিয়ায় ২৫ হাজার একরে জল দেবার ব্যবস্থা কর। হয়েছে, আর এবার অনাবৃষ্টির দকণ যে পরিমাণ জল নদীতে রাখা সম্ভব তার বেশী ধরে রাখা চলে না; ''ম্যাসাঞ্জোর ড্যাম'' এখনও তৈরী হয়নি, সেই জন্য সরকার চিন্তা করেছেন যে অতিরিক্ত জল দেওয়া याद कि ना : जात करन वह ठाघी विजिन खायशी (थरक शिद्य पत्रवात करत्र ए या यामार्मत अन पिन. এবং জেলার ভারপ্রাপ্ত ''এডমিনিষ্ট্রেটরের'' কাছে বলেছে। এরা তারিখে তিনি জানিয়েছেন যে আমরা সকলকে এখনই জল দিতে পারব তা নয়; অত জল নাই: তার। বলেছে আমাদের যে পরিমাণ জল দেবেন সেই পরিমাণ জলের দাম আমরা দেব। কাজেই এ জেলার সকল লোকের সন্মতির সঙ্গে এই কর निर्कातन राया वक्षा वह राज्य वशक महानायत यात्रकः ज्ञानित्र पिठिष्ट।

ষিতীয় কথা হচেছ এমন অনেক ব্যাপার হয়েছে যে সব জায়গায় জল দেওয়া সম্ভব হয়নি। সেটা জন্য কারণে। কারণ, গত দুবংসর জেলায় স্থবৃষ্ট হয়েছিল, তার ফলে জল বিতরণের প্রয়োজন হয়নি। এবং যখন নুতন অভিন্যান্স করা হয়েছিল তার পর সব জায়গায় জল ছেড়ে দিতে না পারার জন্য কোন

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[Si. Kamada Kinkar Mukherjee.] স্বায়গায় কিরকম অবস্থা হবে, কোনটার "লেভেল" কি রক্ম কোন জায়গায় জল উঠবে তা পরীক্ষিত হচেছ, তার জন্য জ্বল দিতে যাবার পর কিছু কিছু অস্পুবিধার সৃষ্টি হয়েছে। সেই অস্পুবিধা দুর করবার জন্য সেখানকার ক্যানাল বিভাগের কর্মচারীরা পাইপ দিয়ে, পাম্প দিয়ে যতরকমে সম্ভব চাষীদের সহ-যোগিতায় জলের ব্যবস্থা করেছিলেন। অবশ্য আর একটা প্রশ্ন হয়েছিল যে কর নির্বারণ যে করা হয়েছিল সেটা উৎপনু ফসলের উপর। উৎপনু ফসল যেটা হবে সেটা নিধারণ করবেন ইটিষ্টিক্যাল বুবো কাজেই সেই বিসাবে আজ নিন্দিষ্ট কর নির্ধারণ করা হয়নি। যেটা নির্ধারণ করা হয়েছে সেটা মাঝামাঝি হিসাব কোরে এটাকে ৬॥০ টাকা এবৎসবের **छ**ना कता श्राहा। यपि प्रथा यात्र (य ७॥० होकांव कम इन्द्रमा शुरमाञ्चन, जाहरल जामात मरन हम राजी হ'তে পারবে। কাবণ ৬॥০ টাকা ত একেবারে निक्तिष्ट कारत (पननि. ७॥० होका डेर्फ गःशा हिन. আগে ১০ টাকা উর্দ্ধ সংখ্যা কর নির্ধাবণ কবা হয়েছিল। সেটা হতে পারবে মাসাঞ্চোর ড্যাম যথন হয়ে যাবে তখন বংগরের সমস্ত সময় জল দিতে পারা যাবে; তখন যদি ১০১ টাকা কর নিধারণ হয় তাহলে অন্যায় হবে না। আব একটা বিষয় **ত্বাছে** যে এই যে কর এ একেবারে পারমানেণ্ট হবে না। প্রত্যেক বংসরের জন্য নির্ধাবিত হবে। কারণ আজ যে মূল্য রয়েছে এই মূল্য অনুসারে অধিক মাত্রায় যে ফগল হবে তাও অর্দ্ধেকের বেশী কর নির্ধাবণ হ'তে পারবে না, আবার ফগলেব দাম কমে যেতে পারে। সে জন্য বৎসরের পর বৎসর এই কর নির্ধারিত হবে।

এই পুসঙ্গে জানাতে চাই যে জেলার চাণীদের
যখন এসজে মতামত নেওয়া হয় এবং ক্যানাল যখন
কাটা হয়, তখন ক্যানালের জমি দিতে কোন লোক
আপত্তি করেনি; তবে এতে একমাত্র আমাদের
সহক্ষ্মীদেরই আপত্তি আছে। আমাদের কাছে
গিয়ে কিছু গোলমাল হবে না হবে তা বুঝতে পারা
যায়নি। আমরা জানতাম যে আমাদের জল দেওয়ার
জন্য যে টাকা কর হবে সে টাকা সরকারকে দেওয়া
হবে। আর একটা ব্যবহা হয়েছে যে টাকার পরিবর্ত্তে
ধান দেওয়াও চলবে, এটা জানান হয়েছিল এবং
তারা রাজীও হয়েছিল।

ময়ুরাক্ষী তাদের কতথানি উপকার করেছে সেটা চিন্তা করুণ। আমি আমার জেলার জনমত নিয়ে এই কর সমর্থন করি এবং এই কথা জানিরেই আমি আমার বক্তব্য শেষ করছি। [11-10—11-15 a.m.]

Sj. Debendra Sen: Mr. Chair. man, Sir, I oppose this Bill. It is a short Bill, but even a small equally deadly. rentile is oppose this Bill for four reasons. Firstly, it is the inordinate rate imposed. Secondly, this inordinate rate has been fixed arbitrarily. Thirdly, all these have been done by bringing about an amendment to a Bill which is very odd, whose copies are not available and nobody knows what the original Act isit is not to be found in the market Lastly, since a comprehensive Bill is being brought, as has been said by the Minister, there is no necessity for bringing in a hurry this short amendment.

The Hon'ble Ajoy Kumar Mukherji: What is the fourth reason you stated?

Debendra Sen: Since a comprehensive Bill is being brought forward there is no need of hurrying with this small one at this stage. Let me take up point by point. I have said that the rates have been fixed—very inordinately high. I will take the original Bill. In the original Bill under section 10 the maximum limit and incidence of improvement levy is fixed. and there are two limitations given there. An ad hoc figure has been laid down there for - Bakreswar Canal and Damodar Canal. rate that we cannot exceed is Rs. 4-8 for the former, and for Damodar Canal the maximum that we cannot go beyond is Rs. 5-8. These are ceiling rates already contained in the original Act. Now because the amendment has been put in in such a haphazard way, the people do not know what is in the Act. I doubt whether the members also know because the Act 18 not available in the market. Therefore, what is the reason for so inordinately increasing the ratewhich were fixed at a time by a which was Government popular?

Sj. Mohitosh Rai Choudhuri: When was this Act passed?

Debendra Sen: In 1935. twenty years before. Twenty vears before the Government was an arbitrary, dictatorship, foreign Government and it was supposed that they had no sympathy for the people and, therefore, they wanted to extract the maximum from our people at that time. So, even that maximum has been exceeded by a very high amount—in place of Rs. 4-8 it is Rs. 10; in place of Rs. 5-8 it is Rs. 10; and why? There is another limitation in the Act. It is said that the rates to be fixed are to be governed some formula, and what is the formula? These are very important things and our Minister does not think it necessary to circulate the original Act so that we could know what are contained in the original Act

[11-15—11-20 a.m.]

and we could give our considered opinion on the Bill that he has brought forward. The formula in the original Act is that it shall not exceed one-half of the estimate of the net increase in the profit. This is one formula. Another is that it shall not exceed one-half of the net value of the estimated increased in outturn. So there are three criteria for fixing the rate—one is that it shall not exceed one-half of the net increase of the profit or it shall not exceed one-half of the net value of the increase in outturn or it shall not be more than Rs. 4-8 in case of Bakreswar Canal; it shall not be more than Rs. 5-8 in case of Damodar and Eden Canals. Now all these things have been washed away by this new amendment.

The Hon'ble Ajoy Kumar Mukharji: In case of others?

Sj. Debendra Sen: It cannot be more than one-half. How do you know what is one-half? It has been fixed arbitrarily. You do not know what the Statistical Department will give you. Nobody knows it. They may give you the net increase as Rs. 5. Rs. 10 or Rs. 50 or Re 1. I do not know how Government is embarking on such a

Bill on such meagre information which would adversely affect a large section of the people of West Bengal. That is why I say that it has been arbitrarily fixed. The Hon'ble Minister has said that there was a committee and the committee was unanimously of the opinion that instead of going under the purview of the Irrigation Act let us go under the purview of the Development Act. Who are the members of this committee?

The Hon'ble Ajoy Kumar Mukharji: I have given you the names.

Sj. Debendra Sen: How many of them are officials? More than 50 per cent. are officials and these officials have no feelings for the people. These officials who brought money from the Government of India are now foisting the responsibility upon our people. These are the people upon whom responsibility of fixing the rate. Who are the non-officials who were present in that committee and for people whose number will thousands and thousands—the committee which is composed mainly of Government officers and of experts and technicians? What do the technicians know about this matter?

There is another point. I do not know who has written this book "West Bengal 1954" which has been circulated today. It says that the total estimated cost is 15 crores. The Hon'ble Minister has said 16 crores. I think there is a lot of difference between 15 crores and 16 crores. Then the Hon'ble Minister has said that at the present moment he can take responsibility for supply of water from the barrage for irrigating 25 thousand acres and he is not sure whether he will be able to supply water to irrigate another thousand acres. But in this book it is written that one lakh acres are going to be irrigated.

[11-20—11-25 a.m.]

Sir, this is very very sad and it shows as I have said on another

[Sj. Debendra Sen.]

Government

occasion the heartlessness and the want of sense of responsibility on the part of the people who really govern us, whether he is a Minister or whether he is an official writing this book, or whoever he may be, I cannot make out why this discrepancy has really crept in such matter. Now as I was saying the rates have been fixed arbitrarily. My third point is that you have brought in amendments on three clauses out of 44 clauses in the Act. We do not know what these 41 remaining clauses are. Have you circulated the original Act? Nobody knows what they are.

The Hon'ble Ajoy Kumar Mukherji: You can take it from the Library.

8j. Debendra Sen: I have got a copy here with me. I was fortunate I have got it. But when a second man goes to the Library he cannot get it.

The Hon'ble Ajoy Kumar Mukherji: It is not the duty of the Ministry to circulate the original Acts.

8j. Debendra Sen: It is not your duty in law but it is your duty really in practice to supply us with these things; otherwise how can you expect us to give you our opinions correctly?

The Hon'ble Dr. Bidhan Chandra Roy: Only give your opinion here standing.

8j. Debendra Sen: I do now know whether excepting the Chief Minister anyone else has read the original Act.

The Hon'ble Dr. Bidhan Chandra Roy: I may not have read it also but I am able to speak.

Sj. Debendra Sen: There is only one copy and I have got it. As I said this original Act has got many retrograde aspects and if anything new has to be done in West Bengal then there should have been a new

Bill to remove these retrograde aspects of the Act. For instance, under section 17, the only appeal lies with the Commissioner and the Commissioner here is in the language of Shri P. C. Sen a non-terrestrial person.

The Hon'ble Prafulla Chandra Sen: Non-terrestrial?

sj. Debendra Sen: Yes, in your own language. He is not easily available. People do not know where he lives. People do not know whether there is a Commissioner or not but an appeal has to be made to him and secondly, if an appeal is made the Act says that that appeal again can be quashed under section 17(2). It is said that the Board of Revenue may—

The Hon'ble Ajoy Kumar Mukherji: We are not discussing the original Act but only the amendment of these clauses.

Dr. Monindra Mohan Chakrabarty: I think he can certainly refer to the original Act.

Mr. Chairman: I think it is relevant to refer to the original Act.

Sj. Debendra Sen: It is resented very much that we are treated as children and an attempt is done to conceal facts and foist on our shoulder something—

Mr. Chairman: Mr. Sen, that expression of yours "Attempt is done to conceal facts" is hardly proper.

[11-25—11-30 a.m.]

Sj. Debendra Sen: All right, Sir. In 17(1) right is given to appeal to the Commissioner. In subsection (2) it is said that the Board of Revenue may by application within thirty days from the date of the order from the Commissioner of the Division revise such an order. Under sub-section (1) right is given to approach the Commissioner. Under sub-section (2) right is given to cancel whatever might be done by the Commissioner. So I say it is a reactionary Act. Then, Sir, let us take the

case of section 24(2). If a man has not paid a levy what are the punishments meted out to him? The Government officers can go and enter his house and the language 18 "to do any acts necessary" think that in no Act there is such a language as is mentioned here-(Sj. Mohitosh Rai Choudhuri: What is the relevancy of these things in this Bill?) The relevancy is that you are trying to do a thing concealing the whole matter and introducing or rather foisting upon us a retrograde thing which has been made more retrograde by this amendment. That is the point, Sir. In sub-section (2) these officers can cut the crops if a person has not paid his levy and remove the paddy. These punishments can be meted out to him under this Act. Now, Sir, connect this thing with the statement made by the Hon'ble Minister. The tax will be levied in areas where the cannot be taken because the areas are higher than the canal level. But if the persons do not pay the levy, the officers will cut their crops or they will be liable to punishments as laid down in this Act. So, Sir, this Bill is reactionary.

Sir, my next point is that if it is in the contemplation of this Government to bring a comprehensive Bill, then why this Bill? You have already announced that the charge will be Rs. 6-8 this year. Is it then going to be for the next year when you have already promised you will be bringing in a comprehensive Bill? You can bring that Bill in the next budget session. Why this hurry? So, Sir, this Bill is senseless, there is no utility or necessity for this Bill.

Sir, in conclusion, I shall mention one thing. Sir, I have not been able to be wise even though I have heard Sj. Mohitosh Rai Chaudhuri's speech. Sir, what is sickening is this: every occasion he has got eulogies for our Chief Minister. Not that we do not know his capacity, but it is a bad taste, particularly in such a House to

talk like him. I hope, Sir, you will prevent him from doing like this in future.

[11-30—11-35 a.m.]

Sj. Tara Sankar Banerjee:

মাননীয় সভাধ্যক্ষ মহাশয়, আমার বাড়ী বীরভুর এই বিল বীরভূমের অধিকাংশ জনসাধারণের পক্ষেপ্রযোজ্য। সেই কারণে এই বিল সম্পর্কে কয়েকটা কথা বলব এবং মাননীয় সেচ মন্ত্রী এই যে বিল নিয়ে এসেছেন এটা আমি সমর্থণ করি। সমর্থণ করি এই কারণে মে এটার পিছনে সমস্ত বীরভূমের জনগনের সমর্থন আছে। ঘিতীয় কারণ, এই বিলের কিছু কাল পরে একটা সামগ্রীক উনুয়ণ বিল সরকার নিয়ে আসবেন। তার পূর্বে ময়ুরাক্ষীর যে পরিকল্পনা হয়েছে তাতে সেচ কার্য্যের যে বর্তুমাণ কার্য্য পদ্ধতি তাকে স্বচাক্ষতাবে চালনা করবার জন্য এই বিলটা আনা হয়েছে মাত্র। সামগ্রীক পরিকল্পনায় আমর। অনেক পরিবর্ত্তণ অবশ্য দেবতে পাব।

আমাদের বন্ধু দেবেন পেন মহাশয় যে বিলের কথা উত্থাপন করেছেন সেটা ১৯৩৫ সালের বিল। সে বিল এমন কালে রচিত হয়েছিল, এমন দৃষ্টিভঙ্গী নিয়ে রচিত হয়েছিল যার সঙ্গে একালেব দষ্টিভঙ্গীর এবং অবস্থাব অনেক প্রভেদ। অবস্থাব যে অনেক পরিবর্ত্তণ হয়েছে একথা দেবেন সেন মহাশয় স্বীকার করবেন। আমূল পরিবর্ত্তন আনবাব আগে কয়েক দিনের জন্য সাময়িক ব্যবস্থায় কার্য্য পদ্ধতি চাল রাখবার জন্য এই ব্যবস্থা হচেচ। প্রথম কথা হচেচ দেশের উনতি কল্পে আমরা সকলে এখানে এসেছি জনসাধারণের প্রতিনিধিত্ব করতে। এক্ষেত্রে সম্মুখে রাখতে হবে আমাদের জনসাধারণের কল্যাণ। সেই জন সাধারণের কল্যাণ যদি খালি সূতে। কাটা যুড়িব মতন উড়ে যায় এবং আমরা খালি লাটাইয়ের সূতো নিয়ে টান। টানি করি, তাহলে ঘুড়িত উড়ে যাবেই স্তোরও খানিকটা রাস্তার ছেলেরা টেনে নিম্নে যাবে। কাজেই আমাদের দৃষ্টি রাখতে ष्ट्रनकन्गार्थत्र पिरक।

আমার বন্ধুরা যে সম্পর্কে আপত্তি তুললেন তা শুধু বিব্রান্তি স্মষ্ট করবার জন্য। এই ম্যুরাক্ষী আজকে যত শাখা, উপশাখায় যে সমস্ত ক্যানেল যা দূরে গিয়েছে, এবং যতখানি স্থান আবৃত করেছে এই সব এলাকায় কর ধার্য্য হয়েছে তা নয়। যে ২৫ হাজার একর, যে জমি জল পাবে, সেখানেই কর ধার্য্য করা হয়েছে। হালিম সাহেব বলেছেন যে নানুর এলাকায় কোন কোন এলাকায় ক্যানেল

[Sj. Tara Sankar Banerjee.] कां। जन शरप्रह। यथान कारनन जून कां। হয়েছে সরকার সেখানে ক্যানেল বজিয়ে দেবেন। অবশ্য এই সমালোচনার সন্মধীন সরকারকে হতে হবে। কিন্ধ এখানে এই বিলের আওতায় এটা चारत ना। राश्रीत कातिन दक्षिया प्राची हरव ভার আশে পাশে কর নিশ্চয়ই ধার্য্য হবে না। শ্রীসত্যপ্রিয় রায় মহাশয় যে কথা বলেছেন, তাতে এই স্থর ধ্বনিত হয়েছে যে কৃষকর।—আমাদের কৃষকর। যে গোনার ফসল ঘরে তোলে তাতে শুধু কৃষকরাই উপকৃত হয় না, সমগ্র দেশেরই উপকার হয়। এটা শুধু শিক্ষকদের জানা একচেটিয়া নয়, যারা দেশের कन्गान कराउ ठान এই कथा प्रकल्ये जातन। এই সব ব্যাপার রাজনৈতিক দষ্টি নিয়ে বিজ্ঞপ কর। চলে কিন্তু বান্তব ক্ষেত্রে এর মল্য নেই। মাত্র ২৫ হাজার একর জমি এই পবিকলপনায় উপকৃত হবে। খরিফের জন্য এবাব মাত্র ২৫ হাজার একব বাধ্যতা-মূলক কর ধার্য্য করা হয়েছে। এবং এর পর্বের্ব গত বংসর পর্যান্ত স্থবর্ষার জন্য কঘকর৷ কব ভাব বহন কবতে রাজী হয়নি। মনীক্র চক্রবর্তী মহাশয় যেটা বলে গেলেন যে কৃষকদের বঝতে দিতে হবে যে সেচের জলে কতখানি উপকার হবে এটা ঠিক। অকিশের জলে যে ফসল হবে তার অপেকা बग्रवाकी छात्न (य अधिक कमन १८० এটा अनश्रीकार्य) এতে যে কঘকরা উপকত হবে এটা তাদের বঝতে দিতে হবে। করের সর্বোচচহার ১০ টাকা ধার্য্য করা হয়েছে। এই সর্বোচচ হার যা ধার্যা হয়েছে সেখানে একটা কথা আছে। যদি অধিক উৎপন্ कगलंद माम २० ठाका ना इय छाइएन ১० ठाका হবে না। যদি অধিক ফসলের দাম ১২ টাকা হয তাহলে ৬ টাকা হবে। যদি অধিক ফসলের দাম ১০ টাকা হয তাহলে ৫ টাকা হবে। কিন্তু এই সর্বোচচ হার ১০ টাকা এটাকে বড কোবে দেখিয়ে বিরোধী বৃদ্ধদের গলাবাজির স্থবিধা হতে পারে কিন্ত षात्रन षाइत्नत मना ७ मर्यामा (मध्या इय ना। ততীয় কথা হচেছ বক্রেশুর ক্যানেল এবং দামোদর ক্যানেলের হার যথাক্রমে ৫॥ টাকা ও ৪॥ টাকা ছিল এটা বলা হয়েছিল। ১৯৪২ সালের যারা দেশ সেবা করেছিলেন তখনকার ফসলের মূল্য কি ছিল তা সকলেই জানেন। তখনকার দিনে ২।। টাকা ধানের মূল্য ছিল আর এখনকার যা বাঞ্চার মূল্য তাতে এই কর ধার্য্য যা হচেছ তাতে বিশ্বিত হবার কিছ নাই। স্থতরাং বিদ্রান্ত করবার জন্য विदायी वहुता या वरलएइन छात्र कान मुलारे नारे। পরিশেষে আমি এই বিল সম্পূর্ণক্রপে সমর্থণ করছি

এবং অনুরোধ করছি বে সামগ্রীক উনুরণ বিল বত শীম্র আন। যায় তার জন্য সরকার চেটা করবেন।

[11-35—11-40 a.m.]

Nirmal Chandra Bhattacharyya: Mr. Chairman, Sir, on a question like this I thought I will keep an open mind. The word "development" has a fascination for all citizens of India because we are eager to develop our country into a really great country, a prosperous country overflowing with milk and honey. Therefore, when Minister brings forward a Development Bill one naturally feels attracted. When I came to this House I thought that I would not speak on this Bill but after having listened to the Hon'ble Minister I have come to the conclusion that I shall be failing my duty to my constituency if I do not raise a voice of protest against the Bill that has been placed before the House by the Hon'ble Minister. Sir, the Bill speaks of development but I feel that this Bill is likely to arrest development. We are proud of schemes like the Mayurakshi scheme. I am particularly proud of this scheme because I know that this has been mainly achievement ofengineers. We also know that the Mayurakshi scheme has already started bearing fruit. It is for this reason that I am proud but in order that this scheme might succeed it is necessary that the morale and active co-operation of the people should be associated with it. Sir. this Bill is being introduced before the people have been persuaded to understand fully the advantages of a great scheme like this. It is necessary, therefore, that the people should be educated in the matter. In order that we may be able to enlist the active support of the people in increasing produce of the soil it is necessary that the people should be educated. They should be told how the proper utilisation of the scheme might lead to increase of food production. That has not taken place and it is for this reason that I argue that the case for circulation is a very

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strong one. The Minister has not been able to establish a case for this hasty piece of legislation. He has told us that at the next session be will be introducing an amendment—a comprehensive amendment—of the Development Act, 1935. Why this haste in spite of the fact that there is a considerable volume of opinion opposed to the measure that he is going to adopt?

[11-40—11-45 a.m.]

Let the people know, let the people be educated, let the people be told and let the people be associated with this scheme and then and then alone it will be desirable to launch a measure of this sort. do not understand why the Minister is in such a great haste. Sir, reference has been made by a speaker on the other side to the necessity of taxation and in particular he argued that it was necessary to tax the peasants. I would very respectfully ask him to study the report that has been submitted on the census by Shri A. K. Mitter, one of the most efficient and best of our officers. Shri A. K. Mitter in his very weighty report on the census states very clearly that the peasant in all parts of Bengal is fighting a losing battle, that he is engaged in economic operation which has hardly any future. That is the condition of the peasant. In view of this condition of the peasant is it desirable to tax him turther? Sir, in a social service State people who are down out are assisted by the Government. Our Chief Minister is never tired to claim that his Government is a social service Government, social welfare Government. If so, should the people who are down and out and who are proved statistically extremely impecunious be taxed in this way? Sir, there is another very powerful argument against this measure. The Minister has himself admitted that he is not sure of the supply of water, he is not sure of the regular supply of

water. If so, why take this daredevil step? Would it not be desirable to leave it to the option of the people? Is it desirable in view of the uncertainty of supply of water to impose a tax upon the people on compulsory basis? That is a matter which has not been developed by any of our friends on the other side and they have done so deliberately because there is no answer to this argument. Sir, when you introduce a principle of compulsion you ought to think twice. It is necessary that all sides of the question should be considered. Without considering all sides of the question, without considering the volume of local public opinion, this scheme is going to be launched. Sir, a speaker on the other side has argued that the people of Birbhum want it. I do not know what their definition of people is. Our information is many meetings have been held at which this scheme has been opposed. They have themselves admitted that the peasants are not willing to commit themselves in That has writing. also been admitted by some of my friends over there. When there is a volume of opinion which is definitely against it what does it show? It shows in the face of these facts, to argue that the people of Birbhum want it, is to make a statement which is hardly supportable with reference to facts. My friend Shri Tara Sankar Banerjee has pointed out that the rate that has been fixed upon in the present amending Bill is not a high one and he refers to the comparative prices of rice in 1935 and in 1954.

[11-45—11-50 a.m.]

Has he taken into consideration the prices of other things? Does he know that the price level has risen 400 per cent.? Is he aware that the peasants have got to purchase other things? In view of these he ought not to have put such a high rate. My friend Mr. Chakrabarty has argued with comparative figures and he has shown that in the neighbouring areas the rates are Rs. 5 and Rs. 4-8

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and our Hon'ble Minister is trying to put the rate at Rs. 10 for this particular area. Sir, this is a very great injustice. In view of these facts, I think that there is a strong case for circulation of the Bill. There is no hurry about the Bill. Send it for circulation and let it come up at the next session with a comprehensive Bill. Let it be placed before the Legislature then. If you want to defeat this very smallest proposal by your brute majority, it is up to you to do so. Every time we move such amendments you nullify them with your brute majority and I think the same thing will happen to this amendment also. But I would like to record our protest against this kind of policy that you are pursuing all along and I doubt not that the people will take note of it and give a proper answer to your arbitrary methods.

[11-50-11-55 a.m.]

The Hon'ble Ajoy Kumar Mukherji:

भि: (ठग्रावयान, गात्र। पद्धन माननीय गप्ता হাঁটাই প্ৰস্তাৰ এনেছেন এবং একজন বলেছেন ৭ই অক্টোবর পর্যান্ত এবং আর একজন বলেছেন ৮ই অক্টোবর পর্যাম এই বিল জনসাধারণের মধ্যে জনমতের জন্য পচার করা হউক। আমি আগেই বলেছি যে অভিন্যান্য এখনও চলছে, এবং সেই অভিন্যান্স ১৫ই অক্টোবর শেষ হয়ে যাবে। আমাদের এই যে এসেমব্রি সেসন এবং কাউন্সিল সেসন চলছে এটা নবেম্বৰ পৰ্য্যন্ত যাবে না। সেপ্টেম্বর মাসেব শেষ সপ্তাহ পর্যান্তও হয়ত চলবে না। অক্টোবরে শুধ এই ছোট বিলেব আলোচনার জন্য একটা সেসন ডাকার দরকাব হবে, নতবা এই অভিন্যাস খতম इस्त्र यात्व, विन्ध यात्व। (भौयक एम्स्वन रमनः অভিন্যান্স খতম হ'লে ক্ষতি কিং) সোজা বলুন না অভিন্যান্য খতম করে দাও। ৭ই পর্যান্ত গিয়ে তার পরে সেটা থাক তার দরকার কি ? এক মাননীয় বন্ধ বলেছেন জনসাধারণকে পারস্থয়েড কর, তাদের ষ্মাগে ৰোঝাও, তার পরে এই বিল আম্রক। মৃষ্কিল হয়েছে কি বলি। "এই জলকর দিও না কোন রকমে; এই সেচ মন্ত্রী ময়ুরাকী ও ম্যাসানজার ভ্যাম মাধায় কোরে নিয়ে পালাতে পারবে না" এইভাবে যারা বোজাচেছ তাদের বিরুদ্ধে বোঝান

একটু কঠিন হবে। তথাপি আমাদের বোঝাতে বেশী হয়নি। জনসাধারণই আমাদের এসে কোরেছে যে জল দিতে হবে, আমরা ট্যাক্স দেব। তারপরে বলা হয়েছে বর্দ্ধমানে বে ক্যানাল হয়েছে কিছা এখন যে বক্তেশুর ক্যানাল তার স্যাক্সিমান রেট 8110 টাকা থেকে ciio টাকা। মারাকীতে বাড়ছে কেন ? তার দুটো কারণ (১) বর্দ্ধমানে मार्यामरत्रत वा वर्ष्णभारतत्र क्रम मिरुष्ठ, रमशास्त নদীতে জল থাকলে তবে জল ১০৷১২ ফিট উচ क्लाद्य शद्य नित्य क्यान्तरल खल प्राथम इय. किन्छ ময়রাক্ষীর যে জল দেওয়া হবে সে নদীতে জল থাক ৰা না থাক জ্বল দিতে পারা যাবে। আমর। শে গ্যারান্টি দিতে পারব ভ্যাম থাকার উইয়ার থাকলে সে গ্যারান্টি দেওয়া যায় না। তা ছাড়া বন্ধমান ও বক্তেশুরে যখন উইয়ার হয়েছিল --সে বহুকাল পূর্বে--তখন জিনিসপত্র সন্তা ছিল এবং একটা প্রজেক্ট যে টাকা লাগত এখন তাব ১০ छन नारन।

আমি পুথমেই বলেছি যে সমস্ত টাকা কেন্দ্রীয় সরকারের কাছ থেকে ধার কর। হয়েছে এবং স্কুদ সমেত শোধ করতে হবে। এখানে বেশী খরচ পড়ছে সেই জন্যই ট্যাক্স হচেছ সেটা শেঘ কথা নয়। হালিম সাহেব বলেছেন যে যতক্ষন এনকোয়ারি কমিটি কোন সিদ্ধান্তে না আসেন ততক্ষন প্রযাস্ত আপনারা কোন ট্যাক্স করবেন না, তাহলে ত সারা ভারতের সমস্ত ট্যাক্সই বন্ধ করে দিতে হয়। হালিম সাহেবের মতে সমস্ত নিস্কর করে দিলে ভাল হয় কিন্তু এভাবে কোন রাষ্ট্র চলতে পারে না। তাঁরা যেভাবে ট্যাক্সএর ব্যবস্থা করে দেবেন সেটা যদি ইণ্ডিয়া গভর্ণমেণ্ট মেনে নেন তাহলে বেঞ্চল গভর্ণমেণ্টও মেনে নেবেন। হালিম সাহেব বলেছেন এবং আরো **जना**ना বলেছেন যে বছদিন আগে আমাদের অবস্থা ভাল ছিল. ফলন বেশী হত। একদিনত রামরাজত্ব ছিল কিন্তু আজকে শেরসার আমলে ফিরে যেতে হলে অনেক টাকা খরচ করতে হবে. এ টাকা আসবে দুঃৰ কষ্টে আছে সে জন্য ট্যাক্স বাডাবেন না, কিন্তু যখন বাজেট আলোচনার সময় আসবে তখন বলুবেন যে শিক্ষাখাতে ৬ কোটি আছে তাতে হবে না ২০ কোটি টাকা লাগবে, রাম্বার ব্যাপারে ১০ কোটি নয ৩০ কোট করা হ'ক এইভাবে কোট কোট টাকা বাড়ানর কথা বলেন কিন্তু ১ প্রসাও ট্যার দেবেন না। কোধা খেকে টাকা আসবে জ্বানিনা। এর **অবাবে রতাকরের পরিবারের কথা বলতে** হয় যে তুমি কোখা খেকে কি ভাবে চীকা খান তা সামরা খানতে চাই না খামরা সকলে বলে বলগোলা সলেশ খাব। কিন্তু এই গভর্ণমেণ্ট রত্যুকর সাম্পতে রাজি নয়। বলা হয়েছে এই বে সেচ ব্যবস্থা হয়েছে এতে খাদ্য বাড়বে, সারা ভারতের মঙ্গল হবে, অতএব এরা ট্যাক্স দেবেন কেন, তাঁরা ট্যাক্স না দিলে তাঁরা সারা ভারতে বিনা পরসায় খেতে দেবেন কি? কাজেই তাঁদের পকেটে যখন টাকা পড়ছে তখন ট্যাক্স দিতে খাপত্তি করলে চলবে কেন?

[11-55—12 noon.]

জিজ্ঞাসা করা হয়েছে যে রেকারিং এক্সপেণ্ডিচার দেবেন, না ক্যাপিট্যাল দেবেন ? এই ১৬ কোটি টাকা ক্যাপিট্যাল তার ইণ্টারেষ্ট এবং রেকারিং এক্সপেণ্ডিচার সব মিলিয়ে দিতে হবে কোনটা বাদ নয়। অনেকে বলেছেন ক্যানালএর জল পেলোনা তৰও ট্যাক্স দিতে হবে ? তা নয়, যে পাবে না त्र हे। हा पर्व ना। कान मनमा ১२ है ১৫ পार्नि है অফ ইনকামএর কথা বলেছেন কিন্তু মোট ইনকামএর উপর ট্যাক্স ধার্য্য হবে না, শুধু জল দেবার জন্য যে বাডতি আয় হবে তার শতকরা ৫০ ভাগ পর্যান্ত নেওয়া যেতে পারে কিন্ত নেবোই তা বলা হয়নি। দামোদরের আমাদের যে ক্রপ কাটিং রিপোট আছে তাতে ১২৫১ টাকা বাড়তি আয় হয়েছে কিন্তু ময়রাক্ষীতেও যে তাই হবে তা বলছিনা তবে ১০০ টাকা হলেও ১০ টাকার বেশী নেওয়া হবে না সে গ্যারাণ্টি দেওয়া আছে। এখানে অনেকে জেনে বলেছেন যে ঠিক ঠিক হিসাব করলে ১।।০ টাকার (तनी (तहे इटर ना। এই সর্বজ্ঞাদের সঙ্গে আমাদের পরিচয় করিয়ে দেবেন ? তাঁরা কোণা থেকে এই **षक्ष** (পয়েছেন ? রবির জন্য ১৫১ এবং খরিফের **छना ১० টাকা রেট করলে ১৫ বৎসরে শোধ দিয়ে** দেওয়া যায়, যদি ১৬ আনা আদায় হয় এবং ক্যাপিট্যাল লেভিও আদায় হয়। পুরাকালে বাংলায় শস্য বেশী ফলত এখন কমে গিয়েছে কিন্তু খাজনাব হার তাই আছে এই ৰুণা তোলা হয়েছে। খাজনা আইন যখন আসবে তখন এসব কথা বলবেন। তার সঙ্গে এই **জনকরের কোন সম্পর্ক নেই।** তারপর এখানে একজন আমাদের দক্ষে ভাগচাঘীর তুলনা করলেন যে জ্বোতদাবরা যেমন ভাগ চাষীদের কাছ থেকে অর্দ্ধেক ফসল নিয়ে নেয় সেই রকম সরকারও অর্দ্ধেক ফসল নিয়ে নিচেছ। ভাগচাষের ব্যাপারে জ্বোতদার অবশ্য যদি মখাজি ব্যানাজি হয় তাহলে চামে কোন শাহায্য বা খরচ না কবে ফসলের ১৬ আনার অর্দ্ধেক আণায় করতে হয়ত পারেন কিন্তু আমরা সেচ দিয়ে যে বাড়তি ফসল হবে তার অর্চ্চেক নেবাে

(SJ. K. P. CHATTOPADHYAY: আবি তা বলিন।) বাড়তি কি হবে জানিনা, তা ধেকে ট্যাক্স আদার হবে কি না, কত হবে তা জানিনা। সেই জন্য ট্যাক্স ধার্য্য করিন। তবু সর্বোচচ ১০ টাকা করেছি, বাড়তি হলে ১০ টাকা পর্যন্ত আদার হবে আর বাড়তি না হলে এক পরসাও আদার হবে না। একথা বার বার বলা হয়েছে তথাপি তাঁরা বুঝতে পারেন নি।

বাধ্যতামূলক ভাবে না রেখে সেচছামূলক ভাবে রাখার কথা বলেছে সত্যাপ্রিয় বাবু, সেচছামূলক ভাবে রাখনে কাজ চলছিল না বলেই বাধ্যতামূলক করা হয়েছে। অনেকে বলেছেন,

"why pass this Bill while there is a comprehensive amendment of Development Act."

ত্থামি একথা বলেছি যে এই বিল না আসলে ঐ Bengal Development Act

এর যে কমপ্রিহেনসিভ য্যামেগুমেণ্টএর কথা বলছেন সেটা আনার আগেই এই অভিনাণ্স অচল হয়ে যেত সেই জন্যই আমাকে এই বিল আনতে হয়েছে। ''Prof. Nirmal Chandra Bhattacharyya''

বলেছেন যে,

"I shall be failing in my duty to my constituency."

তিনি ক্যালকাটা প্রাজুমেটস কনষ্টটুমেণিস থেকে এমেছেন তাঁদের সেচের কি প্রমোজন হয় জানিনা তবে ব্রেন ইরিগেসনএর জন্য যদি সেচের প্রমোজন হয় তবে সে কথা আলাদা।

8j. Nirmal Chandra Bhatta-charyya: On a point of personal explanation. The graduates of Calcutta are interested in the welfare of the people as a whole unlike the Ministers on the other side and therefore I owe an explanation to them.

The Hon'ble Ajoy Kumar Mukherji:

তিনি বলেছেন,

"The minister is not sure of regular supply of water—"
কোপা থেকে তিনি এই কথা পেলেন। আমি বলেছি
বাবে বাবে যে আমরা যেটুকু এলাকায় বাধ্যতামূলক-

বারে বারে বে পার্থা বেছুপু এলাকার বাবাতানুল্কভাবে "ভেভেলপ্রেণ্ট এ্যান্ট" প্ররোগ করেছি সেখানে
গ্যারাণিট দিয়েছি যে জল দেব, সেখানে জল দিতেই
হবে। আমাদের জলের পরিমাণ জানা আছে;
কাজেই দিতে পারব বলে বলেছি। তার বাহিরে
স্বেচছামূলকভাবে যাঁরা জলকর দিতে চেয়েছেন
সেখানেও কিছু কিছু আমরা দিয়েছি আরও দোব।

Ajoy Kumar The Hon'ble Mukherji.]

Government

আনার আর কিছু বলার নাই; সব কথা বলেছি। এই বোলে আমি সব সংশোধন প্রস্তাবের বিরোধিতা ব্দর্গছি।

[12—12-5 p.m.]

The motion of Dr. Monindra Mohan Chakrabarty that the be circulated for the purpose of eliciting opinion thereon by the 7th October, 1954, was then put and lost.

Mr. Chairman: The motion of Janab Abdul Halim falls through.

The motion of the Hon'ble Ajoy Kumar Mukherji that the Bengal Development (Amendment) Bill, 1954, as passed by the Assembly and transmitted to the Council for its recommendations be taken into consideration, was then put and agreed to.

Mr. Chairman: Mr. Halim, are you moving your amendment to clause 3?

Janab Abdul Halim: Yes Sir, I shall move my amendment. Sir, I beg to move that the Council recommends that in clause 3, in the proposed clause (a), line 3, for the word "ten" the word "two" be substituted.

The motion of Janab Halim that the Council recommends that in clause 3, in the proposed clause (a), line 3, for the word "ten" the word "two" be substituted was then put and lost.

Mr. Chairman: The Council has no recommendation to make.

Bengal Bargadars West The (Amendment) Bill, 1954.

The Hon'ble Satyendra Kumar Basu: Sir, I beg to move that the West Bengal Bargadars (Amendment) Bill, 1954, as passed by the Assembly, be taken into considera-

Sir, I assume that the House is familiar with the provisions of the principal Bargadars Act of 1950.

But for the sake of convenience 1 shall briefly state the provisions of that Act. That Act was passed for the purpose of meeting a normal situation. Like the Rent Control Act it restricts and controls the eviction of bargadars at the instance of the owners. If you look at the Act you will find that section 5 of the Act sets forth the four grounds upon which an owner is entitled to evict his bargadar and the proviso to section 5(1) is to the effect that no bargadar is to be evicted without an order of the Bhagchasi Conciliation Board. In other words

Bille

[12-5—12-10 p.m.]

if an owner wants to evict the bargadar he has got to satisfy the Conciliation Board that one of the grounds specified in section 5(1) exists.....

and upon the Board being satisfied it may make an order for eviction of the bargadar. Sub-section (2) of section 5 provides that where the owner has obtained possession of the land by evicting the bargadar and he does not cultivate the land himself within one year or he commences his cultivation through another bargadar within five years from the date of the eviction of the previous bargadar bargadar, the original may be restored to possession. Section 6 provides for the constitution and establishment of Bhag Chas Conciliation Boards. Section 7 confers jurisdiction on the to determine disputes between the bargadars and the owners. I shall draw the attention of the honourable members to sub-section (1)(c) of section 7 the Board has jurisdiction to determine the question of termination of or restoration to cultivation of land held by the bargadar. tion 9 bars the jurisdiction of other courts—it says "No or order or other proceedings whatsoever of a Board or of an Appellate Officer and no proceedings whatsoever in execution of such award or order shall be questioned in any Court". Then section 10 confers on the Board power

to summon witnesses-same powers as are conferred on a civil court by the Code of Civil Procedure. Section 10(a) gives the Board jurisdiction to review its orders. Section 11 provides for preference of appeals. Section 12 lays down the procedure which is prescribedwhich is to be followed by the Board and the Appellate Officer. Section 12(2) provides that an order of the Board or by an Appellate Officer shall be executed by Collector. Sub-section (3) provides that no order is to be executed except during the months of Chaitra and Baisakh. Section 14 provides "Any person who fails to comply with an award of the Board or order of the Appellate Officer will be liable to punishment for a term which may not exceed 6 months.

You will see, Sir, that the Act provides for substantive right between the owners and the bargadars and also sets forth the procedure which is to be followed.

After the enactment of the State Acquisition Act an emergency has arisen. It has been reported that a number of cases have occurred where the owners have evicted the bargadar without the order of the Bhag Chas Conciliation Boards or without the existence of any of the four grounds enumerated in section 5(1). In those circumstances an Ordinance had to be passed on the 9th June, 1954, to meet this emergency. You will observe, Sir, that the Act provides for eviction—I lay emphasis on the word "eviction" of bargadars by owners. The Ordinance and the present Bill provide for restoration of the bargadar to cultivation—an entirely different thing.

[12-10—12-15 p.m.]

Sir, the Ordinance, as I have said, was passed on the 9th of June, 1954. It provides that where before or after the promulgation of the Ordinance there was a termination of cultivation by the bargadar without an order of the Board and in contravention of the proviso

to section 5(1) or in contravention of section 12, the bargadar may apply to the Subdivisional Magistrate for restoration to cultivation. It also provides that after the Ordinance was promulgated if a bargadar was evicted by an owner, that would be regarded as a criminal offence punishable with imprisonment for a term not exceeding six months or fine or both, and these offences are to be cognisable offences and bailable. Power is given to the Subdivisional Magistrates to decide these cases reason of the emergency which has arisen. It is obviously convenient that a Magistrate should sit from day to day and try these urgent cases, and having regard to the fact that the cultivation season had already commenced there was an urgency in the matter. As you know, Bhagchas Conciliation Boards do not sit from day to day; many of the Boards sit only once or twice a week with the result that they cannot quickly dispose of cases which are filed before them. Very often a quorum is not available. You know that a Board is composed of two representatives of bargadars and two representatives of jotedars or owners, and it is presided over by a Government official. Quite often we find that these representatives do not turn up with the result that cases have to be adjourned.

Bille

Sj. Nirmal Chandra Bhattacharyya: Owners' representatives?

The Hon'ble Satyendra Kumar Basu: No, no. Representatives of both the owners and the bargadars. Sir, it was felt that it would not be convenient to or possible for all the Subdivisional Magistrates to dispose of all the cases instituted before them. In order to provide for that contingency another Ordinance VIII of 1954, by which power was given to the subdivisional Magistrate to transfer cases to other officers. Now, Sir, my friends probably know that so far as the criminal offences are concerned, cases are transferable

[The Hon'ble Satyendra Kumar Basu.]

under the Criminal Procedure Code by a Sibdivisional Magistrate other Magistrates subordinate him. It was necessary that an express provision should be made to enable the Subdivisional Magistrate to transfer cases where the only question involved is restoration to possession. That provision is made in such an amendment Bill, and there is a further amendment that these applications should be made by the 31st December, 1954 that is obviously essential because under section 6(1) of the Estates Acquisition Act an intermediary or an owner has to exercise his choice with regard to the properties which he desires to retain-that right has to be exercised before or soon after the 15th of April, 1955, so that it is essential that a line should be drawn as regards the date within which application should be made so that the owner will know what would be his position vis-a-vis the bargadar.

[12-15—12-20 p.m.]

It would facilitate the exercise of choice by the owner. Therefore, Sir, a date has been fixed and a fairly long time has been allowed to the bargadars to apply. This is an emergency measure and it is only proper that if the bargadars desire to apply they ought to make the applications with as much despatch as possible. There was a possible misunderstanding as to when the order made by the Subdivisional Magistrate or the other officers could be executed. I have drawn your attention to the provision in the Act the effect of which is that the order should not executed before the month of Baisakh. In Chaitra or emergent situation it is necessary that possession should be restored immediately so in the second Ordinance a provision has been made that the orders which would be made in cases under the Ordinance should be executed forthwith. There is, however, a proviso that if any person has grown any crop

on the land and an order is made for restoration then the officer deciding the case will assess a fair and reasonable amount as the cost of growing the crop and upon that sum being paid by the bargadar, who is restored to possession to the person entitled to the cost, possess sion would be restored. The Bill has been drafted on the lines of the two Ordinances as I have indicated, The only new provisions in the Bill I told you that a are these. bargadar who was evicted in contravention of the proviso to sub-section 5(1) and section 12 was entitled to restoration to cultivation.

Bhagchas Conciliation Boards have not been established in all the areas for more than one reason. For instance, an area may be within an industrial zone where practically no cultivation is done or very little cultivation is done or there may not be a demand for Bhagchas Conciliation There are a few areas where there Bhagchas Conciliation are no Boards. A point has been raised as to what should happen if there is no Bhagchas Board in existence. To enable the bargadar to take advantage of the provision of this law a further provision has been made in the Bill that even where there is no Bhagchas Board the bargadar will be entitled to take advantage of this provision and apply for restoration of possession. The result is that where there is a Bhagchas Conciliation Board and there has been eviction before or after the promulgation of the Ordinance, without an order of the Board or in contravention of section 12 a bargadar is entitled to apply for restoration. Likewise. in any areas where there has been no Board at all the bargadar is entitled to apply for restoration of possession. Sir, you will notice that in the Bill there is a provision for revision. In the Ordinance there is no provision for appeal. There is also a provision in the Bill that no order passed by the Subdivisional Magistrate or officer subordinate to him shall be

questioned in any other court. In those circumstances it is only fair that there ought to be some power of revision given to a superior court.

[12-20—12-25 p.m.]

Therefore, we have provided in clause 3, in section 12A sub-section (2), that "Any person aggrieved by an order on an application under sub-section (1), may, within thirty days from the date of such order, apply to the District Judge within whose jurisdiction the land is situated for the revision of such order; and the District Judge shall pass such orders on revision as he thinks fit and his orders shall be final". It is only fair and reasonable that some kind of revisional jurisdiction should be conferred on a superior tribunal in cases where any of the parties had a grievance. I have told you that in clause (2)(ii)a provision is made that no order on an application under sub-section (1) and no proceedings connected with such application shall be called in question in any court. In clause (4), sub-clause (ir), a provision has been made that the Subdivisional Magistrate or the officer to whom the case is transferred shall be deemed to be a court for the purpose of the Indian Oaths Act. This is to prevent perjury and to enable the court to punish perjury. The officers also shall exercise all the powers of a Magistrate under the Code of Criminal Procedure. There is also provision that the officer shall have power to summon the parties and witnesses, and to cause production of docu-These are broadly the provisions of the present Bill.

Mr. Chairman: There is no amendment. Does any member wish to speak?

No member rose to speak.

The motion of the Hon'ble Satyendra Kumar Basu that the West Bengal Bargadars (Amendment) Bill, 1954, as passed by the Assembly, be taken into consideration, was then put and agreed to.

Clauses 1 and 2.

The question that clauses 1 and 2 do stand part of the Bill was then put and agreed to.

Clause 3.

Janab Abdul Halim: Sir, I beg to move that in clause 3, in the proviso to the proposed section 12A(1), lines 5 to 11, for the words beginning with "such order shall not" and ending with "growing such crop", the following be substituted, namely:—

"such order shall be enforced immediately without any compensation for the standing crop and in cases where such standing crop is grown by another bargadar, such order shall be enforced and the owner of the land shall be liable to pay compensation as may be determined by the Subdivisional Magistrate or any other officer empowered by him to be fair and reasonable to that other bargadar."

Sir, I also beg to move that in clause 3, to the proposed section 12A(3), the following proviso be added, namely:—

"Provided that no Civil Court shall have power to order for any temporary injunction or any other restriction against the order of restoration passed by the Subdivisional Magistrate or any other officer empowered by him for the purpose."

[12-25—12-30 p.m.]

মিঃ চেয়ারম্যান, স্যার, মাননীয় রাজারমন্ত্রী
সত্যেক্স কমার বস্থু এখানে যে বিল এনেছেন সেই
সম্পর্কে আমার এমেগুনেপ্টের উপর কয়েকটি কথা
বলতে চাই। পুথমত বর্গাদার বিলের এমেগুনেপ্ট
যখন আসে গত বাজেট সেসনের সময় যখন একটা
এক্ট আসে, তখন গভর্গমেপ্টকে অনুরোধ করেছিলাম
একটা বিল পাশ করার জন্য এই কারণে যে এই মাত্র
এটেট একুইজিসন এ্যাক্ট পাশ হবার পরে বাংলা দেশে
বিশেষ করে ২৪-পরগণা, দিনাজপুর, বীরভূম ও
বর্জমান পুভৃতি জেলাব যেভাবে চাষীদের জমি থেকে
জোতদার ও জমিদারের দল উচ্ছেদ করে দিচেছ,

[Janab Abdul Halim.] এটা রোধ করার জন্য সরকার থেকে একটা বিল পাশ করার বন্দোবস্ত করুন। কিন্ত আমাদের কণায় সরকার কর্ণপাত করলেন না। সে সময় চারদিকে একটা সঙ্কট আরম্ভ হয় চাষীরা চাষের জন্য জমি পায় না ; চারদিকে বিরাট হৈ চৈ পড়ে যায়. তখন সেই আন্দোলনের ফলে গভর্ণমেণ্ট একটা অভিনান্স পাশ করলেন। আগেই কিন্তু আমরা বলেছিলাম. যারা ভাগচামী তাদের মধ্যে একটা সন্ধট আসছে. একটা অভিনাণ্য করা উচিত। কিন্তু তথন তা अत्रा अनलन ना, जात्र अन्तर्कन जनक विनास. **जात करन ओ जारेरनत मरशा य य काँक तर**ग्रह **শেই ফাঁকে**র ভিতর দিয়ে যারা নাকি **জো**তদার তারা ভাগচাঘীদের উচেছদ করার স্থযোগ পেল, ভাগচাঘী বোর্ডের কাছে আবেদন করে কোন ভাগচাঘীই জমি ক্ষেরৎ পায় না। তারপর ঐ সব ভাগচাম বোর্ড যে ভাবে গঠিত হয়েছে ভাতে চাষী জ্বনসাধারণের প্রতিনিধি নাই। যদিও প্রভিসন রয়েছে কৃষকদেরপক্ষ থেকে প্রতিনিধি নিতে হবে। স্থতরাং লাটদার জ্যোতদারগণ অতি সহজ্যে বগাদারদের জমি থেকে উচ্ছেদ করছে, তার কোন--

The Hon'ble Dr. Bidhan Chandra Roy: Sir, may I suggest that he confine himself to the provisions of the amendment?

Janab Abdul Halim: I am coming to the amendment. I was just telling what actually happened in the countryside.

তারপর চাষীদের যাবা জোর করে জমি থেকে উচ্ছেদ করছে পুলিশদল তাদেরই স্থবিধা দেয় কিন্তু চাষীরা কোন স্থবিচার সেখানে পায় না। কাজেই গভর্ণমেন্টের এই আইন হবার আগেই অনেক জায়গায় চাষীরা উচ্ছেদ হয়ে গেছে। তারপরে এমেণ্ডমেন্ট বা অভিনান্স তাদের ভাগো জুটবে।

এখন আমি এমেণ্ডমেণ্টের কোশ্চেনে আগব।
এখানে বিলে বলা হয়েছে জ্বোর জবরদস্ত করে
লাটপার, জ্বোতদার ও জমিদাররা ভাগচামী বা
বগাদারকে উচেছদ করে দিলে সেটা নিয়ে মামলা
হলে পরে যে নাকি অরিজিনাল ভাগচামী তাকে
যদি জমি ফেরৎ দেবার অর্ডার হয় তাহলেই সে
জমি ফেরৎ পাবে। পুখমে যে খরচ হবে, সে খরচ
তাকে দিতে হবে। কেন? এটা অরুত যুক্তি বলেই
মনে হয়। তাকে জমি থেকে যে উচেছদ করেছে
তার বিরুদ্ধে মামলা মোকর্দ্দমা করে সে জমিতে
সে দুখল পাবে, তা না হয়ে তাকে আবার উল্টে

সেই জোতদারকে টাকা দিতে হবে ? যে নাকি
বগাদারকে উচেছদ করেছে তারই ক্ষতিপূরণ বহণ
করা উচিত। যদি পুকৃত পক্ষে তাগ চাষীকেই
ক্ষতিপূরণ বহন করতে হয় তাহলে আমরা সেদিক
থেকে আমরা এর বিরোধীতা করব যে খরচ ও
ক্ষতিপূরণ যাতে বর্গাদারের উপর আদায় না করা
হয় এবং জোতদারদের উপর যাতে আদায় করা
হয় সেই প্রতিসন থাকা দরকার।

তাছাড়া কোটে মামলা সংক্রান্ত ব্যাপারে ম্যাজিট্রেট, সাবভিনেট ম্যাজিট্রেটকে ট্রাণ্সফার করতে পারে কিন্তু সেধানে ভাগচামী বোর্ড থেকে যে রেটোরেশন হয়েছে তার উপর যাতে ইনজ্ঞাংসন জ্বারী না করতে পারে সেদিকে প্রভিসান থাকা উচিত ছিল। এ সম্পর্কে আমি এমেগুমেণ্ট দিয়েছি আমার বিশেষ বজন্য নাই। হাউসের ভিতর এইসব প্রভিসান সম্বন্ধে যথেষ্ট বলা হয়েছে, মন্ত্রীমহাশয়ও তা জ্ঞাত্ত আছেল। আমি আশা করি বর্তমানে যেখানে যেখানে চার্মীদের উৎথাত করা হচেচ বিশেষ করে স্কন্দরবন অঞ্চলে যে সব চার্মীদের দিয়ে করুলিয়ৎ লিথিয়ে তাদের উৎথাত করা হচেছ তাদের সম্বন্ধে বিশেষ বিবেচনা করা উচিত। এবং আমি অনুরোধ করিছি মন্ত্রীমহাশয় বিষয়টা যেন বিবেচনা করে দেখেন।

[12-30—12-35 p.m.]

Chandra Bhatta-Nirmal charyya: Sir, I support the amendment that has been moved by Mr. Halim on the ground that the owner of the land should not in justice be entitled to any compensation whatsoever, and if any other person steps into his shoes and grows any crop there, the compensation thereon ought to be paid by the owner himself. The owner is guilty of violation of the law. Why should this violater of the law be given this compensation, or why should he not be made liable for compensation payable to any other person due to the illegal action of the owner? That is why I support the amendment.

Sir, there is another point. During this session there has been a spate of Ordinances. The question that arises is, are we to be governed by Ordinances? Article 213 no doubt empowers the Governor, who always acts on the advice of his Ministry, to issue

Ordinances, but only if emergent circumstances are really contemplated. But it appears that Ordinances have become the general rule. Sir, it proves one of two things—either that the Government is not willing to face the Legislature—

Mr. Chairman: Is this relevant to the amendment you are supporting? It is not relevant.

sj. Nirmal Chandra Bhattacharyya: All right, Sir. The Government has no foresight, but pass Ordinances to amend ordinary Acts. With these words I support the amendment.

The Hon'ble Satyendra Kumar Basu: Sir, I informed the House that an emergency arose after the Estates Acquisition Act was passed, and that is why this Ordinance became necessary, and Ordinances will be promulgated whenever there is an emergency.

Sj. Nirmal Chandra Bhatta-charyya: It shows your want of foresight.

The Hon'ble Satyendra Kumar Basu: I do not depend Professor Bhattacharvya for foresight. The half-hearted speeches which have been made by my friends show lack of enthusiasm. Sir, the same amendments were moved in the Assembly wherefrom my friends have derived their With regard inspiration. majdur kabuliats I have informed the House that if a bargadar applies for restoration and the defence is that the bargadar has executed a kabuliat, then it would be open to the court to decide the matter, to go into the question of validity of the documents if the court is so advised. The court may determine whether the document is obtained by fraud, coercion, undue influence, etc. That will be an issue which may be raised in the proceedings. I illustrate by example. this Suppose I bring a suit on a loan. The defendant pleads discharge or satisfaction. It is open to the plaintiff to prove that a receipt was obtained from him by the exercise of coercion or undue influence or fraud, and it would be the duty of the court to determine whether the document is binding. With regard to court fees, there is no provision in the Bill that any court fee will be charged, and I may inform the House that circulars have already been issued by the Government that no court fee is to be charged nor is any fee to be charged for supplying copies.

[12-35—12-40 p.m.]

Sir, with regard to payment costs, it is not a compensation at all. Compensation implies actual loss. A man who has cultivated has not incurred any loss. Therefore, there is no question of payment of compensation. But we have made a provision in the Bill for payment of fair and reasonable cost of cultivation because bargadar gets the benefit of the cultivation and the crop. scheme for distribution of produce under the Act is—one-third goes to the owner, one-third to the bargadar and one-third is available to meet the cost of cultivation. Therefore, the costs incurred up to the date of restoration will be a part of the entire costs incurred up harvesting, etc., for which entire cost one-third of the produce is answerable. In any case the amount is not likely to be much because one-third is sufficient according to the provision of the Act to meet the entire cost of cultivation right up to the end. There is another point. If the bargadar had himself cultivated the land he would have had to incur these costs and if the bargadar had any plough or plough cattle he must have employed them during the cultivation season and he must have also employed himself. You will appreciate what will happen if these costs are not paid. Even if a trespasser has grown any crop in the land of somebody else, if he is evicted, he is entitled as of right to carry away the crop or whatever he has grown. In that case the bargadar will not be able to

[The Hon'ble Satyendra Kumar Basu.]

cultivate afresh because the cultivation season is well advanced. There is bound to be a certain amount of disputes and scramble resulting in criminal cases. In order to prevent that situation we have provided in the Bill that whatever the officer considers to be fair and reasonable cost of cultivation should be paid by the bargadar to whom possession is restored. There is a provision in the Bill for punishment of an owner who has in contravention of the Act evicted the bargadar. I think I have met all the points which have been raised by my friends on the opposite. I oppose the amendments which have been moved by them.

The motion of Janab Abdul Halim that in clause 3, in the proviso to the proposed section 12A(1), lines 5 to 11, for the words beginning with "such order shall not" and ending with "growing such crop", the following be substituted, namely:—

"such order shall be enforced immediately without compensation for the standing crop and in cases where such standing crop is grown bargadar such by another order shall be enforced and the owner of the land shall be liable to pay compensation as may be determined by the Subdivisional Magistrate or any other officer empowered by him to be fair and reasonable to that other bargadar".

was then put and lost.

The motion of Janab Abdul Halim that in clause 3, to the proposed section 12A(3), the following proviso be added, namely:—

"Provided that no Civil Court shall have power to order for any temporary injunction or any other restriction against the order of restoration passed by the Subdivisional Magistrate or any

other officer empowered by him for the purpose." was then put and lost.

 $Bill_{\theta}$

Clause 3.

The question that clause 3 do stand part of the Bill was then put and agreed to.

Clause 4.

The question that clause 4 do stand part of the Bill was then put and agreed to.

Preamable.

The question that the Preamble do stand part of the Bill was then put and agreed to.

The Hon'ble Satyendra Kumar Basu: Sir, I beg to move that the West Bengal Bargadars (Amendment) Bill, 1954, as settled in the Council, be passed.

Sj. Debendra Sen: Mr. Chairman, Sir, it is obvious that we cannot oppose this Bill. We are going to have a third Act. Already we have an Act of 1950, another Act of 1953. On both the occasions we were told that the baryadars have been protected. It was said that these Acts could not be circumvented although the Opposition said so. It was also said that these Acts are fool proof and the bargadars have been protected.

The Hon'ble Satyendra Kumar Basu: I have not said so.

Sj. Debendra Sen: Your predecessor said so.

The Hon'ble Dr. Bidhan Chandra Roy: As there are so many fools here it cannot be fool proof.

8j. Debendra Sen: Here also an emergency arose and this Bill is meant to meet the emergency:

[12-40—12-45 p.m.]

The extent of the emergency we have not been informed. We do not know how many bargadars have been evicted. I am told that in one area only, Sonarpur area, 7,000 bargadars have been evicted.

The Hon'ble Dr. Bidhan Chandra Roy: You know the emergency then.

Sj. Debendra Sen: I want know the extent of the emergency so that we can take more drastic steps in respect of this Bill. Our information is that a large number of bargadars have been evicted. What does this Bill provide for? Restoration through courts, then it also gives the right to notedars to combat that order through the court, where there will be again transfer between court and court and between a bargadar and a court and a jotedar and a court. And again you will have this emergency. So what I think this Government should do is that by an order they should restore all the bargadars who have been evicted-

The Hon'ble Dr. Bidhan Chandra Roy: Without understanding whether he is a bargadar or not. You must not enquire?

Sj. Debendra Sen: You have no record to show who is a bargadar or not. Certainly you must have a record. I do not like to bring in The court the court here. reserved only for the jotedar. Let the Government pass order and then if there is anything wrong in the order, let the jotedar go to the court as against that order. That is the only thing that we can do for our bargadars. Here again either you are doing it knowingly or you doing injustice to your intelligence and to our intelligence because a bargadar cannot get any protection before a court while fighting against a jotedar. say no court fee will be charged. That is a very small consolation. There will be lawyers and the jotedar will be able to avail of men like you. But a bargadar cannot.

The Hon'ble Dr. Bidhan Chandra Roy: To whom will he apply for restoration?

Sj. Debendra Sen: To the Subdivisional Magistrate. The Hon'ble Dr. Bidhan Chandra Roy: So that he has to go before the Magistrate.

8j. Debendra Sen: Why should he?

The Hon'ble Dr. Bidhan Chandra Roy: He has got to satisfy him that he is a bargadar.

Sj. Debendra Sen: You must have a record of those who are bargadars before this Act was passed, say, before 1950.

The Hon'ble Dr. Bidhan Chandra Roy: But where is the record?

8j. Debendra 8en: That is your fault. That is not my fault.

The Hon'ble Dr. Bidhan Chandra Roy: Your fault is that you are suggesting something which is not practical.

Sj. Debendra Sen: It should be told what are the steps that are taken and that is the only sensible thing that this House could do—restore all the bargadars who have been evicted right and left. Supposing you do some wrong to the jotedars, and for one day you do some wrong to the propertied people. Let them fight their case before a court. Of course I am not opposing this Bill but I am suggesting this and this is the only way of meeting this crisis.

The Hon'ble Satyendra Kumar Basu: The jurisdiction of courts other than the courts of Subdivisional Magistrates and the officers to whom cases may be transferred is ousted by the provision contained in section 12(2) to which I have already referred. Sir, there is no lacuna in the Bill. An emergency has arisen which my friend has confessed excepting that he has magnified it. He has alleged that there are 7,000 cases in Sonarpur area alone. My friend must have drawn the figure from his own imagination. I have got the figure up to 31st July, The total number of insti-1954.tutions throughout the State of except Bengal Nadia. West Hooghly Sadar, and Mathabhanga

[The Hon'ble Satyendra Kumar Basu.]

subdivision of Cooch Behar and Darjeeling was 2,175 cases out of which 1,163 cases were disposed of by 31st July, 1954. Complaints were lodged and congnizance was taken by the police in regard to 311 cases in the district of 24-Parganas.

[12-45—12-48 p.m.]

Government thought that the bargadars should be protected. An emergency had arisen and, therefore, it had to pass an Ordinance which will expire unless the provisions therein are enacted and hence this Bill has been introduced in the Council here.

The motion of the Hon'ble Satyendra Kumar Basu that the West Bengal Bargadars (Amendment) Bill, 1954, as settled in the Council, be passed, was then put and agreed to.

Mr. Chairman: I shall now adjourn the House till 10 a.m. on the 16th September, 1954, when the business will be the West

Bengal Estates Acquisition Amendment Bill as passed by the Assembly and the West Bengal Offenders (Release on Admonition and Probation) Bill, 1954, as passed by the Assembly and any other Bill which may come up from the Assembly and are duly notified in time to be considered in the Council.

Adjournment.

The Council was then adjourned at 12-48 p.m. till 10 a.m. on Thursday, the 16th September, 1954, at the Legislative Buildings, Calclutta.

Members absent.

Banerji, Sj. Sankar Das,
Basu, Sj. Gurugobinda,
Bose, Sj. Subodh Kumar,
Choudhuri, Sj. Annada Prosad.
Prodhan, Sj. Lakshman,
Roy, Sj. Surendra Kumar,
Sanyal, Sj. Charu Chandra,
Sarkar, Sj. Pranabeswar, and
Sinha, Sj. Rabindralal.

COUNCIL DEBATES

Thursday, the 16th September, 1954.

THE COUNCIL met in the Legislative Chamber of the Legislative Buildings, Calcutta, on Thursday, the 16th September, 1954, at 10 a.m., being the fifth day of the Fifth Session, under the Constitution of India.

Mr. Chairman (The Hon'ble Dr. Suniti Kumar Chatterji) was in the Chair.

[10-10-5 a.m.]

Leave of absence.

Mr. Chairman: I have received one application from Dr. Charu Chandra Sanyal asking for leave of the House for his remaining absent from the meetings of the Council during the current session I think the House will have no objection in granting him the leave of absence for the current session. You all know that Dr. Sanyal was involved in a serious accident. He is out of hospital now but not yet in a position to come and attend meetings here.

[There being no objection, the leave was granted.]

Adjournment Motion.

Sjkta. Anila Debi:

মাননীয় সভাপতি মহাশয়, আমি এই মাত্র একটা য্যাডজোরণমেণ্ট মোসনএর নোটিশ আপনার বিবেচনার জন্য দিয়েছি, আশা করি আপনি সেটা য়্যালাউ করবেন।

Mr. Chairman: I have received your notice of adjournment motion. Firstly, it is not in proper form and secondly, it refers to some event which is continuing. So it is nothing new and urgent, and that cannot be the subject of an adjournment motion. Therefore, I refuse permission for this.

8j. Satya Priya Roy:

নাননীয় গভাপতি মহাদয়, এটা কণ্টিনিউইটির ব্যাপার নয়। বান্তবিক আজ ১৫ হাজার শিক্ষক বেডন ও ভিয়ারনেস য্যালাউএণ্স পাচেছ না। মুধ্য মন্ত্রীমহাদয় এ সম্পর্কে তাঁদের প্রতিশ্রুতি দিরেছিলেন ; স্থ্তরাং এটা কণ্টিনিউইটির ব্যাপার নর।

Mr. Chairman: It has been continuing for some time.

Sj. Satya Priya Roy:

পূজার আগে যাতে এটা তারা পেতে পারে তার
ব্যবস্থা অবলম্বন করা দরকার। আগে থেকে—গত
ক্ষেত্রুমারী মাস থেকেই এটা তাদের দেবার কথা
হয়েছিল। আজ যথন সেপ্টেম্বর মাস শেঘ হতে
চলেছে এবং স্কুলগুলি পূজায় বন্ধ হয়ে যাতেছ তথন
এটা একটা স্পোনাল ইমারজেন্সি ব্যাপার হয়ে
দাঁড়িয়েছে। স্কুতরাং আমি আশাকরি এটা বিশেষ করে
বিবেচনা করবেন।

Mr. Chairman: It is not a matter for adjourning the business of the House.

Messages.

Secretary (Sj. A. R. Mukherjea): Sir, messages in respect of the following Bills have been received from the West Bengal Legislative Assembly:—

(1)

"Message.

The West Bengal Estates Acquisition (Second Amendment) Bill, 1954, as passed by the West Bengal Legislative Assembly at its meeting held on the 13th September, 1954, has been duly signed by me and is annexed herewith. The concurrence of the West Bengal Legislative Council to the Bill is requested.

S. K. MUKHERJEE,

Speaker,

West Bengal Legislative
Assembly.

CALCUTTA:

The 14th September, 1954."

(2)

"Message.

The West Bengal Offenders (Release on Admonition and Probation) Bill, 1954, as passed by the West Bengal Legislative Assembly at its meeting held on the 13th September, 1954, has been duly signed by me and is annexed herewith. The

COUNCIL DEBATES

concurrence of the West Bengal Legislative Council to the Bill is requested.

S. K. MUKHERJEE,

Speaker,
West Bengal Legislative
Assembly.

CALCUTTA:

The 14th September, 1954."

Sir, I lay on the table copies of these Bills.

ASSENT TO BILLS.

[Secretary (Sj. A. R. Mukherjea) reported that the following Bills have received the assent of the President or the Governor as mentioned below:—

- A. Bills assented to by the President—
- (1) The West Bengal Requisitioned Land (Continuance of Powers) (Amendment) Bill, 1954.
- (2) The West Bengal Land (Requisition and Acquisition) (Amendment) Bill, 1954.
- (3) The West Bengal Premises Requisition and Control (Temporary Provisions) (Amendment) Bill, 1954.
- (4) The West Bengal Premises Rent Control (Temporary Provisions) (Amendment) Bill, 1954.
- (5) The West Bengal Molasses Control (Amendment) Bill, 1954.
- (6) The West Bengal Estates Acquisition (Amendment) Bill, 1954.
- (7) The West Bengal Sales Tax Bill, 1954.
- (8) The Rehabilitation of Displaced Persons and Eviction of Persons in Unauthorised Occupation of Land (Amendment) Bill, 1954.
- (9) The Bengal Motor Vehicles Tax (Amendment) Bill, 1954.
- (10) The Bengal Finance (Sales Tax) (Amendment) Bill, 1954.
- (11) The Bengal Medical (Amendment) Bill, 1954.
- B. Bills assented to by the Governor—
- (1) The Bengal Excise (Amendment) Bill, 1954.

- (2) The Bengal Local Self-Government (Amendment) Bill, 1954.
- (3) The West Bengal Appropriation Bill, 1954.
- (4) The West Bengal Clinical Establishments (Amendment) Bill, 1954
- (5) The Bengal State-Aid to Industries (Amendment) Bill, 1954.
- (6) The West Bengal Appropriation (No. 2) Bill, 1954.
- (7) The Bengal Motor Spirit Sales Taxation (Amendment) Bill, 1954.]

COVERNMENT BILLS.

The West Bengal Estates Acquisition (Second Amendment) Bill, 1954.

The Hon'ble Satyendra Kumar Basu: Sir, I beg to move that the West Bengal Estates Acquisition (Second Affiendment) Bill, 1954, as passed by the Assembly be taken into consideration.

Sir, there are two categories of intermediaries within the scheme of the Estates Acquisition Act. first category are the intermediaries who are de jure intermediaries as defined in clause (1) of section 2 of the Act. The second category is the de facto category of intermediaries. The first category includes proprietors, tenure-holders, ur.der-tenure-holders and other persons above the rank of raiyats and The intermediaries under-raiyats. of the second category are in one sense also rent receivers. have either sublet their holdings in part or in whole or carry on cultivation under the barga system.

[10-5-10-10 a.m.]

Section 50 in Chapter VI of the Estates Acquisition Act provides that the following persons shall be deemed to be intermediaries—(1) persons who hold lands which they cultivate by bargadars and (2) persons who sublet their holdings. Sub-section (1) of section 6 sets forth the classes and quantities of land which an intermediary of the first category is entitled to retain.

Amongst others, he is entitled to retain 25 acres of agricultural land. An intermediary of the second category is entitled to retain 33 acres ol agricultural land. Section 51(1) of the Act provides that rent receiving interest of owners and khas lands which on the date of vesting are cultivated by bargadars shall vest in the State. In consequence, after the Act was passed some owners have resorted to evict the bargadars. You will observe, that vesting takes place in respect of lands which are under barga cultivation. The date of vesting is 15th April, 1955. The Bill was passed in 1953 and was enacted, but having regard to the evictions which have been resorted to by some owners it is thought necessary that for purposes of sections 50 and 51, 5th May, 1953, should be substituted for the date of vesting and be regarded as the crucial date and barga cultivation on that date or a date subsequent to that date should be taken into consideration for the purpose of determining whether the owner is an intermediary within the meaning of these two sections, that is to say, whether a person who cultivated land by burnadars on 5th May, 1953, or a subsequent date should be regarded as an intermediary under these sections is a matter which is under consideration. If the House holds that 5th May, 1953, should be regarded as the crucial date then bargadars who used to cultivate on the 5th May or during a period subsequent to that date should be recognised as bargadars entitled to retain possession. In these circumstances an Ordinance was passed on the 9th June, 1954, substituting 5th May, 1953, for the date of vesting under section 51 and providing that if a person is an intermediary of both the categories, he will be entitled to hold 33 acres of khas agricultural land in the aggregate. This Bill is for the purpose of enacting the provisions of the Ordinance and also making the following further provisions:—One of the provisions is that an intermediary would be given an opportunity to apply before 15th February, 1955, to have his estates and

interests vested in the State immediately instead of waiting till 15th April, 1955. The House is aware that a notification has been issued under section 4 for vesting of all estates. The purpose of this amendment is to enable an intermediary to accelerate vesting the effect of which would be smooth transference of management and prevention of loss of rent. It will also save the intermediary from incurring further liability by way of revenue and cesses. The second amendment is that sales held on the 1st June, 1954, or subsequent thereto should be void.

110-10-15 a.m.]

After the enactment of the Estates Acquisition Act tenants tenure-holders, etc., are withholding payment. In consequence there have been increasing defaults in payment of rent cesses and revenue and there have been a large number The intersales recently. mediaries will also have to be rehabilitated like the other owners and cultivators. If the estates of the intermediaries are sold at revenue or patni sales, they will become a problem to the administration. Therefore, their interests should be safeguarded as far as possible. Hence it is desirable that there should be no effective sales until the date of vesting so that the status quo may be maintained and loss may be minimised. Arrears of demand will of course be deducted and recovered from the compensation payable to the respective intermediaries. Therefore, it is provided that any sale under the Bengal Revenue Sales Act or Cooch Behar Revenue Sales Act or Bengal Patni Toluk Regulations or the Bengal Tenancy Act from the 1st June, 1954, shall be void. There is also a provision that from the date on which revenue falls due or the date of sale up to the date of vesting interest at the rate of 10 per cent. would be charged. Sir, friends are aware that under the Revenue Sales Interest Act interest is payable at the rate of 61 per cent. on all arrears of revenue until payment. Therefore, until payment is made on due date interest on the

Bills

[The Hon'ble Satyendra Kumar Basu.]

Government

demand will accrue at that rate, from the date of vesting interest will continue to be payable at a like rate. But during the interval, namely, from the due date or the date of sale subsequent to 1st June, 1954, up to the date of vesting, interest will be charged at the rate of 10 per cent.—that is to say, it may be for 4, 5 or 6 months, interest will be charged at 33 per cent. above the normal rate of interest which is not very much in view of the concession which is being granted to the intermediaries.

Section 8 is amended clause 4 so that all arrears of rent and cesses due to an intermediary including decrees for rent shall continue to be recoverable, if the debtor is an intermediary, from the compensation payable to him subject to the provisions of section 26 of the Act. This will not affect any other mode of recovery which may be available to the intermediary creditor.

Power is obtained for the State Government to pay such amount as it thinks reasonable by way of interim payment having regard to the financial position of an intermediary and other like circum-stances. This provision is made for the purpose of giving relief in hard cases.

Sir, you are aware that one of the provisions made is that pending final assessment of compensation an intermediary will be paid interim payment equal to one-third of the annua! net income.

[10-15-10-20 a.m.]

Sir, there may be some intermediaries who may be very hard hit. Take for example a person whose income is Rs. 500 a year. If he is paid one-third of Rs. 500. he will be in great difficulty. Therefore, power is sought for the Government so that in cases where by reason of financial difficulties or considerations——(Dr. MONINDRA MOHAN CHARRABARTY: Why not fix a limit?) Please do not interrupt. I do not like it. Now, Sir, as I was saying having regard to the financial position of the intermediaries and other considerations the State Government will be able to increase the quota of interim payment to such intermediaries. Provision is also made for the estates which are held in trust exclusively for charitable and religious purposes. You are aware that the Act provides that compensation should be paid as regards this class of estates at a rate equal to the net annual income in perpetuity. With regard to such estates there is no point in making an interim payment of only one-third of the amount of annual net income. If only one-third is paid, it will be difficult to administer the charitable trusts which are entitled to full payment of the income. It is desirable that interim payment should be of an amount which will approximate the annual income of such estates.

Sir, provision is also made for preference of appeals to a Special Judge against an order made as a result of an enquiry under section 5(a). You will remember, that the Estates Acquisition Act was amended by providing for a procedure for enquiry into cases of transfers which have taken place since 5th May, 1953, if the State considers that there are prima facie grounds tor such enquiry. There is provision for an appeal from an order upon enquiry. Provision has been made so that any party may prefer an appeal from an order. It was also the intention of the Legislature that the intermediaries as defined by section 2(i) and those within the meaning of Chapter VI should have the same right as regards the lands which they will be entitled to retain notwithstanding vesting. The lands which an intermediary is entitled to retain are set out in section 6(1) of the main Act.

Provisions have been made to enable an intermediary of the second category to retain lands under Chapter VI as provided in sections 51(2) and 52. It may be contended that there is some ambiguity and so provision has been made to clear that up, so that the two categories of intermediaries may be allowed to retain the same kinds and quantities of lands as are set forth is section 6 of the Act.

Dr. Monindra Mohan Chakrabarty: Sir, I beg to move that the Bill be circulated for the purpose of eliciting opinion thereon by the 30th October, 1954.

Hon'ble Sir, the Satyendra Kumar Basu has explained at tength the purpose of this Bill. But I have a few points to make. The first thing is that we have a tear that this Bill has been designed to protect the interest of certain types of intermediaries and not the bargadars for whose benefit the old West Bengal Estates Acquisition Act has been passed. Secondly, Sir, no ceiling has been fixed on the khas lands to be retained by jotedars and raiyats, and thirdly, even when the main Bill was moved during the last session we had objection to the paying of compensation and we still have objection to paying of compensation as such. At that time also, Sir, we made out that if at all rehabilitation grant should be made, a limit must be fixed. I have a separate amendment to that effect but I insist again that instead of protecting those intermediaries or those zemindars who have exploited people and who have bled them white and impoverished our people we should have considered only giving some rehabilitation grants to those smaller intermediaries who actually needed such an assistance. He has referred to the case of those who may get a compensation of Rs. 500 or something like that. But I myself think the limit should be up to Rs. 3,000 and not more than that. It is not necessary for these intermediaries who have enloved zemindari for such a long time and made money by exploitation to get relief. Relief should go to those who are most deserving. These are the points which have prompted me to move this circulation motion.

Janab Abdul Halim:

নি: চেয়ার্ব্যান, স্যার, বাননীয় রাজত্ব বহী শ্রীসত্যেক্ত কুমার বস্ত্ মহাশয় এই যে বিল আমাদের সামনে এনেছেন

Bille

"The West Bengal Estates Acquisition (Second Amendment) Bill, 1954"

তথন তিনি তাঁর ভাষণে বলবার চেষ্টা করলেন যে বর্গাদারদের স্বার্থের জন্যই এই বিল আনা হয়েছে। কিন্তু বিলের বিভিন্ন ধারাগুলি পর্যালোচনা করলে এবং বিচার বিশ্লেষণ করলে মনে হয় প্রধানত জমিদারদের স্বার্থ রক্ষা কবার উদ্দেশ্যেই এই বিল আনা হয়েছে।

মোট দুপৃষ্ঠা বিলের মধ্যে আমরা দেখতে পাবো ক্লজ (৬)এর মাত্র একটা প্যারা শুধু বর্গাদার সম্পর্কে রয়েছে আর বাকী সমস্ত ইণ্টারমিডিয়ারী জমিদাবদের স্বার্থে এই বিলটা ওরিজিন্যাল বিলে সেক্সন ৫৩তে সেখানে ইণ্টার-মিডিয়ারী সম্বন্ধে যে বিশ্বেষণ দিয়েছিলেন, অর্থাৎ যাদের দু-তিন বিঘা জমি বয়েছে; যার। এই জমির মালিক তাদের এই ইণ্টারমিডিয়াবীর ব্যাখ্যা দেওয়ার ফলে. সেখানে জমি থেকে ব্যাপকভাবে ভাগচাঘী উচ্ছেদ হযেছিল। ইণ্টাবমিডিয়ারীরা মনে করলো আজকে তাদের জমি বেহাত হয়ে যাবে সেই জন্য ব্যাপকভাবে ভাগচাঘীকে জমি থেকে উচেছদ করতে থাকে। সেই সময বিলে একটা প্রভিসন করা হয়েছিল যে যাদের ৩৩ একব জমি আছে তাদের কাছ খেকে জমি নেওয়া হবে না। কিন্তু, তা সম্বেও এই সমস্ত বর্গাদারদের জমি থেকে উচেছদ করতে আরম্ভ করেছিল। শেদিন মন্ত্ৰীমহাশয় করেছিলেন দ হাজাবেরও বেশী ভাগচার্ঘী জমি थ्यक উচেছদ श्राहिल: পরে অবশ্য তাদের মধ্য কিছু বেষ্টোর হয়েছিল। কিন্তু বহু ভাগচার্ঘী তাদের জমি ফেরৎ পায়নি। ছোট ছোট, মাঝারী জমিদার যাবা তাবা আতঙ্কিত হয়ে উঠলো, তারা মনে কবলো তাদের জমিটমি বুঝি একেবারে চলে যাবে, সেই জন্য ভাগচাঘীদের জমি দেয়নি। আর একটা জিনিম বড বড় জোতদাররা দেখলো আমরা নিজেরা যদি জ্বমি চাঘ করছি বা মজুর রেখে জ্বমি চাঘ করছি দেখাতে পারি অর্থাৎ প্রমাণ কনতে পারি যে বর্গাদার দিয়ে জমি চাঘ করান হয়নি তাহলে আমাদের হাত থেকে জমি চলে যাবে না। কাঞ্জেই সেই স্পুযোগ তারা সেদিন নিয়েছিল। এবং তারা মনে করলো এইভাবে যদি আমরা প্রমাণ করতে পারি ভাহলে ২০।২৫ হাজার বিষা জমি রাখতে পারবো। কাজেই

[Janab Abdul Halim.]
বর্ত্তবানে যে সংশোধনী রাবা হয়েছে তার মূলত
কোন পরিবর্ত্তন ছয়নি, এবং এর হারা মূলত বর্গাদারদের কোন স্থবিধা হবে না কারণ ১৫ই ষেএর
পূর্বের্ব যে সমন্ত জমি থেকে জাের করে মজুর কোবলা
লিখিয়ে নিয়ে তাদের উচ্ছেদ কিয়া উৎবাত করা
হয়েছে, তাদের সেই জমি কেয়ৎ পাবার কোন
উপায় নেই। সেই দিক থেকে বর্গাদারদের কোন
স্থবিধা হবে না।

Government

তাছাড়। জমিদারের রাজস্ব আদায়ের ব্যাপারে বাতে তাদের জমি বিক্রি হয়ে যেতে না পারে তার জন্য এই বিলে সুবিধা দেওয়া হয়েছে, অথচ প্রজাদের যদি বাজনা বাকী পড়ে তাহলে তাদের জমি নীনাম করে বাজনার টাকা আদায় করা হবে। কোর্ট থেকে জর্টার নিয়ে তাকে জমি থেকে উচেছ্দ করা যাবে, তার পরাপরি ব্যবস্থা এখানে রয়েছে।

তারপর ক্ষতিপূরণের ব্যাপারে এই ক্লম্ম (৫)এ

যা কম্পেনসেসনএর ব্যবস্থা হয়েছে তা অতি চমৎকার।
কম্পেনসেসন দেবার ব্যাপার নিয়ে যথন পূর্বে
আলোচনা হয় তথন আমরা বলেছিলাম এই কম্পেনসেসন
পাল হয়ে গিয়েছে। আবার এখন নূতন করে যে
কম্পেনসেসন বা গ্রাণ্ট দেবাব ব্যবস্থা হচেছ, তথন
বলতে চাই ছোট ছোট ইণ্টারমিডিয়ারী যাদের আয়
তিন হাজারের উর্দ্ধে নয়, তাদের রিহ্যাবিলিটেশনএর
জন্য কিছু ধরচ দেওয়া দরকার। সেই নীতি জনুসারে
আমরা বলেছিলাম তাদের কিছু কম্পেনসেসন দেওয়া
উচিত। এবং বাকী জন্যান্য লোকদের, যাদের
বেশী আয় তাদের, এই কম্পেনসেসন দেওয়া
উচিত
নয়। কিছে এই বিলে বড় লোকদের স্বাণ্ট দেখা
হচেছ, সেই জন্য আমি এর তীব্র প্রতিবাদ করছি।

[10-25—10-30 a.m.]

Si. Mohitosh Rai Choudhuri: Sir, I was a member of the Select Committee which considered the Bill when it went before the committee. There might defects in the Bill but for the life of me 1 cannot bring myself to understand how it could be argued that this amendment has been brought forward in the interest of the zemindars. There is a prevailing 'misunderstanding in the country as to the nature of the zemindars. By zemindars it is always assumed that they must be big people but for the purpose of this Act all intermediaries in a sense are zemindars. Now I must

say very frankly that I am not for this new amendment. This amendment has considerably taken away the meagre rights which were given to owners. In the original Bill they were entitled to retain 33 acres of land.

Dr. Monindra Mohan Chakrabarty: Which Bill?

Mohitosh Rai Choudhuri: The Bill which was enacted into law. The second class of intermediaries were allowed to retain 33 acres of land. This was to enlarge-scale cultivation. courage They were also allowed to retain under section 6 another 25 acres of agricultural land. Speaking on pehalf of the middle-class people who form the bulk of the intermediaries I consider that this provision was a wise one and wisely retained after prolonged considera-Then, Sir, representations were made to the Government, and as the Government is a welfare Government, it considered that there was a good deal of force in that contention which was put forward on behalf of the tenants, that the class of raiyats who are called jotedurs had been allowed to retain a much greater quantity of land than they ought to and the Government yielded to that agitation fomented by the advocates of the interest or the guardians of the ravyats. Therefore, they have brought forward this Bill cutting down the right which had been allowed to the intermediaries of the second category. Now, Sir, that being the case, the amendment might be attacked by the friends of the intermediaries on the ground that the Government have been unjust to the intermediaries. But for the life of me I cannot bring myself to understand how the charge can be brought against the Government that they are working in the interest of the intermediaries.

[10-30—10-35 a.m.]

However, Sir, although I am not very happy over the provisions of the Bill, on second thoughts, I think that these have been wise, as the Government of the land is a welfare Government or is trying to become a welfare Government and as it is in the interests of the poorer people that this enactment has been proposed, cutting down the original provision of 33 acres for the intermediaries of the second category.

Sir, there is only one thing in the Bill which is in the interest of the poor intermediaries—and most of our friends are poor intermediaries. In the case of poor intermediaries who are to get a compensation of Rs. 500 or more, to obviate the hardship which might be caused to Government have empowered by the Bill to pay the compensation money all at once. I know, Sir, that while the Zemindary Acquisition Bill was under discussion in this House, a good deal of objection was raised to the payment of compensation. But, Sir, as I pointed out at that time-(Dr. Monindra Mohan Chakra-Barty: As a member of the Oppostion.) No, as an impartial man, I pointed out at that time, the time of large-scale brigandage had not yet come and that you could not deprive the people of their right to receive compensation. And in a sense, the reasonableness of my point of view was admitted by the critics. For, my friends also agreed at that time, and also agree at present, that some sort of compassionate grant, rehabilitation grant, should be paid to the intermediaries. Sir, I pointed out at that time, further, as I point out again now, that the compensation which had been proposed in the Bill to be paid to the zemindars, big zemindars in particular, who are the eye-sore of a certain class of people, is meagre; in the case of big landlords, I think as much as 95 per cent. had been expropriated and in the case of poor people only Rs. 500 would be paid. Now, Sir, if any intermediary suffers any hardship because of the fact that that meagre sum of Rs. 500 or Rs. 1.000 or Rs. 2.000 is to be paid to him, not all at once but in several instalments, and if the Government is satisfied that a considerable degree of inconvenience is being

really caused to these poor people on this account, then Government will have the power under the new Bill to pay a compensation of more than one-third at a time. This is the only mercy which has been shown to the poor intermediaries. I do not understand how this small provision, in the face of the other provisions of the Bill which have definitely proposed in favour of the raiyats, I do \mathbf{not} understand how this small concession to the intermediaries can taken exception to. I emphasise again that for the life of me I cannot understand-there might be other charges against the Government-but I cannot understand how the charge can be levelled against the Government that they have brought forward this Bill in the interest of the intermediaries. confess I cannot really comprehend the justice or the reasonableness or the fairness of this charge.

The Hon'ble Satyendra Kumar Basu: Sir, I am unable, I confess to allay any suspicion which is not real but is only a pretension. assert with all the emphasis at my command that the real object of the Bill is to protect the Baryadars. I do not shed any crocodile tears either for jotedars or for bargadars, but any person who is reasonable in his outlook will realise, if he tries to understand the Bill, that it is directed to give protection to bargadars. If anything, Sir, it is a Bill which is unfavourable to jotedars. The point whether a person should be allowed to retain more than the ceiling was discussed threadbare when the principle of the Bill was under the consideration of the House.

[10-35—10-40 a.m.]

Sir, my friend Dr. Chakrabarty has talked of rehabilitation grant. It is not a question of a grant at all; nor is it a question of charity. In the main Bill it has been provided that interim payment should be limited to one-third of the income but we realise that there may be hard cases in which it may be essential to pay more than one-third. Hence this amendment is

[The Hon'ble Satyendra Kumar Basu.]

sought to be provided for in the Bill. It is impossible to fix a limit. Each case must be decided on its own merits. An intermediary may be in financial difficulty although his income may be substantial. There are smaller inneed. termediaries who are in There is no question that their circumstances including their financial position will be taken into account in deciding whether the interim payment should be more than one-third of the income. The Legislature is only giving power to the State Government to consider each individual case of hardship and to decide on the merits of each case. I again repeat it is not a grant. This will be a payment on account of the total compensation to which he will be entitled to be paid by way of bonds or cash payments. Sir. I do not think they have said anything more which needs an answer.

The motion of Dr. Monindra Mohan Chakrabarty that the West Bengal Estates Acquisition (Second Amendment) Bill, 1954, be circulated for the purpose of eliciting opinion thereon by the 30th October, 1954, was then put and lost.

The motion of the Hon'ble Satyendra Kumar Basu that the West Bengal Estates Acquisition (Second Amendment) Bill, 1954, as passed by the Assembly, be taken into consideration, was then put and agreed to.

Clauses 1 to 4.

The question that clauses 1 to 4 do stand part of the Bill was then put and agreed to.

Clause 5.

Dr. Monindra Mohan Chakrabarty: Sir, I beg to move that in clause 5(1), in the proposed proviso, in line 6, after the words "to an intermediary" the following words be inserted, namely:—

"whose yearly income is not more than Rs. 3,000."

Sir, I explained in my previous speech just now that we are opposed to the fundamentals, namely, to the paying of compensation to big landlords and that is the reason why I have moved this amendment. Sir, the Hon'ble Satyendra Kumar Basu said something else. He has not fixed up a ceiling as he thinks there would be difficulty for the bigger landlords for reasons best known to them; it may be for spending extravagantly or for other things. Sir, we are not concerned about them. We are concerned, Sir, with those intermediaries who are unable for various reasons to arrange for themselves and that is the reason why I have proposed this amendment. Sir, I do not think I should dilate more on this We have discussed the point. matter threadbare. The Hon'ble Minister thinks that it is not a question of charity. Sir, the question of charity does not come in. The question is whether in the interest of the people of Bengal compensation should be paid, whether the people can afford to pay com-pensation particularly to big zemindars. This has been discussed and is being discussed now. Our opinion is that we should not pay any compensation except in the case of smaller interests.

[10-40—10-45 a.m.]

The Hon'ble Satyendra Kumar Basu: Sir, we differ on principle. My friend believes in expropriation. I don't. The owner is entitled to compensation and his compensation is fixed by the Act. It does not matter whether the income is Rs. 2,000 or Rs. 3,000 a year. So long as we do not over-pay his compensation there is nothing wrong. I have told you, Sir, in the case of small intermediaries the compensation is also fixed. If the intermediary for two or three years receives one-half or two-thirds of his income he will be relieved from hardship. His total compensation will remain the same. I, therefore, oppose the amendment.

The motion of Dr. Monindra Mohan Chakrabarty that in clause 5(1), in the proposed proviso, in line 6, after the words "to an intermediary" the following words be inserted, namely:—

"whose yearly income is not more than Rs. 3.000."

was then put and lost.

Nirmal Chandra Bhatta-Sj. charyya: Sir, I would like to make certain enquiries regarding clause 5(2). I congratulate the Minister-in-charge of the Bill on introduction of section 5, clause (2). When the principal Bill was under discussion on the floor of the House some of us pointed out that there were some trust properties out of the income of which educational institutions and religious institutions were being maintained. Our contention was that the Government have assumed charge of ensuring the continuity of payment to those institations, continuity of the payment of the income out of the trust property towards the maintenance of religious institutions or educational institutions. This aspect of the question was emphasised in the note of a member of the Select Committee Mr. Garga who, so far as I remember, belongs to the other party. I am glad to notice that clause (2) of section 5 seeks to remove the defect of the Bill. But there is one aspect of the question which has to be taken into consi-There may be some deration. trustees who may receive the ad interim payment of the appropriate annual income of the interest but at the same time may not discharge their trust properly. It is, therefore desirable that such intermediaries should be required to render proper account to the Government. If Government does not assume charge of running those institutions after having received the income out of them then they should see to it that the inter-mediaries discharge their trust fully. Suppose that I am the trustee of an educational institution. Under section 5, clause (2), I shall be in receipt of ad interim payment of the approximate annual income of the interest of the property concerned but I may not discharge that responsibility. What is there to ensure that the money that I get is really being spent for the maintenance of the educational institutions? That is what I cannot understand. I shall be glad if the Minister-in-charge will kindly explain the point.

Bille

The Hon'ble Satyendra Kumar Basu: Sir, that matter will clearly be not within the scope of this legislation. We will have to think of passing an Act in the manner of the Wakf Act in regard to such matters. At the present moment if there is a breach of trust committed by any trustee or a sebayat in regard to any trust or properties the remedy is to file a suit in a Civil Court. That may involve not only a considerable amount of expense but also delay and in the meantime the assets may be frittered away.

[10-45-10-50 a.m.]

I quite realise my friend's anxiety that those endowments which are for charitable and religious purposes should be protected but they will not come within the scope of the present legislation. We will have to think whether we should pass another Act for controlling management of endowments, trusts and so on. The Muslims have got their own Act and I think for the preservation of Hindu endowments something of that kind has got to be thought of. I will, however, consider the matter.

The question that clause 5 do stand part of the Bill was then put and agreed to.

Clauses 6, 7 and 8.

The questions that clauses 6, 7 and 8 do stand part of the Bill was then put and agreed to.

Preamble.

The question that the Preamble do stand part of the Bill was then put and agreed to.

The Hon'ble Satyendra Kumar Basu: Sir, I beg to move that the

[The Hon'ble Satyendra Kumar Basu.]

West Bengal Estates Acquisition (Second Amendment) Bill, 1954, as settled in the Council, be passed.

The motion was then put and agreed to.

The West Bengal Offenders (Release on Admonition and Probation) Bill, 1954.

The Hon'ble Dr. Jiban Ratan Dhar: Sir, I beg to move that the West Bengal Offenders (Release on Admonition and Probation) Bill, 1954, as passed by the Assembly, be taken into consideration.

Dr. Monindra Mohan Chakrabarty: Sir, I beg to move that the Bill be circulated for the purpose of eliciting opinion thereon by the 15th December, 1954.

Sir, I am inclined to agree that the purpose of this Bill is good but I may be permitted to make a few observations for which I moved this amendment. Sir, criminals are not born. It is now admitted that it is the environment that is responsible for the criminality being developed. That is the opinion of the modern criminologists. For rectification of the offenders, therefore, unless proper environment is created the purpose of the Bill will be defeated. The difficulty is to find out the right type of probation officers. First of all they should be idealists, they must have the proper psychological make up to understand the environmental and sociological implications which prompted the offender to commit the offence. The people, particularly those who seek to rectify the offenders in a sadistic fashion, cannot be obviously the right type of probation officers and, therefore, in this Bill the probation officer has not been properly defined—which type of persons who are most suitable for being probation officers and what should be their qualifications have not been properly explained. How this defect the Minister-incharge is going to resolve? Sir, everybody cannot be the conscience-keeper of others. We know

there are corrupt people who pass off as honest citizens. Now that type of persons because of their corrupt influence cannot be made probation officers.

[10-50-10-55 a.m.]

Sir, actually this type of thing should be left to persons who do social work—headmasters of schools and people of that type who are better able to appreciate the difficulties, appreciate the sociological factors and have that amount of sympathetic attitude towards these offenders.

Then, I have something to say Section regarding section 5(2). 5(2) seeks to penalise the guardians. It reads like this: "If the offender against whom an order is made under sub-section (1) is, or appears to the Court to be, under the age of sixteen years and if it appears to the Court that the parent or guardian of the offender has contributed by his neglect or in any other way to the commission of the offence, the Court may order the payment of such compensation or cost by such parent or guardian-Now, the point is, to what extent a parent or guardian is responsible for the waywardness of his ward? Sir, the State has not been able so far to provide these parents or guardians, particularly those of the poorer classes, the means so that they can exercise the required restraint on their wards. For economic or other reasons they sometimes have to work from morning to night and they have no time left. Unless the State provides that everybody shall be entitled to have some time at his disposal, unless the State makes out the society to be such that they have the proper means at their disposal, it is futile to expect that in the present day a guardian in the bustee area would be able to exercase proper restraint on their wards. Unless we can create such an environment by creating a really welfare State, I do not think that the real object of the Bill will be served. Moreover, it will be real hardship to penalise such a guardian because it is beyond his control to exercise restraint, because he

has not got the proper environment, because the State or the society has not provided him with such an environment.

Sir, with regard to section 8(2), it says that the probation officer will supervise persons placed under his supervision and, when necessary, endeavour to provide a suitable environment. That is the trouble. Sir, is it the opinion of the Minister, or is it the opinion of the Government that until somebody commits an offence, employ-ment will not be found for him? Sir. can it be a real proposition? I think the Minister knows about the reports of the police officers employed to root out the anti-social elements in Calcutta recently. think that it is the report of many officers that it is due to unemployment that many youths are led to various sorts of offences. Unless the State assumes the responsibility of finding employment for all, not only those who have committed an offence but all, I am afraid many people will be led to commit offence, so that they will come under the purview of this Act.

Sir, these are some of the points to which I wished to refer. This Bill on a general survey appears to be a good Bill. Such Bills are in existence in other countries, but in those countries the State assumes much more responsibility with regard to their citizens. Unless the Minister agrees here and now that he is going to assume more responsibility about his citizens, particularly the younger citizens, I do not think its purpose will be served.

[10-55-11 a.m.]

8j. Satya Priya Roy:

মাননীর অধ্যক্ষ মহাশয়, মাননীয় মন্ত্রীমহাশয়
এই যে বিল এনেছেন এই সম্বন্ধ এই বলতে চাই
যে অপরাধীদের শুধু জেলখানাতে পাঠিয়ে দিয়েই ভাল
করা যায় না। জেলে পাঠিয়ে দিয়েই দোঘ—অপরাধ
সমস্যার সমাধান হয়না এটা যে সরকার বুঝতে
পেরেছেন সে জন্য তাদের অভিনন্দন জানাচিছ।
কিন্তু এই বিলের মধ্যে গঠনমূলক কোন পুন্তাব নাই।
এর মধ্যে পুলিশা মনোভাব রয়েছে। বান্তবিক কেন
আমাদের দেশের ছেলেমেরেয়া আজ্ব অপরাধপুবণ

হয়ে পড়ছে সেটা আজ পরিষ্কার হয়ে গেছে উপানশ বাবুর ঘোষণার। আজকে কি কারণে দেশের ছেলে-বেয়ের। জপরাধশুবণ হয়ে পড়ছে সে সম্বন্ধ তিনি যে বিশ্লেষণ করেছেন তা জতি বিজ্ঞানসম্বত। সেখানে তিনি পরিকার দেখিয়ে দিয়েছেন জারাদের ছেলেনেয়েদের যে অফুরস্ত কর্মপ্রেরণা ও কর্মের উৎস রয়েছে তার কোনরকম সুষ্ঠু প্রকাশ পাচেছ না আযাদের এই বর্তনান সমাজ ব্যবস্থায়।

আমাদের কলিকাতা বিশুবিদ্যালয়ের নানা ছুল ও কলেজে প্রায় ২ লক্ষ ছাত্র পড়ছে কিন্ত দুংবের বিষয় দুই একটি ছুল কলেজ ছাতা এমন একটি জায়গা নাই যেখানে ছেলেরা অবসর বিনোদন করতে পারে ও খেলাধূলা করতে পারে। আজ পর্য্যন্ত আমাদের দেশে তাদের উপযোগী থিয়েটার বা সিনেমা তৈরী হয়নি।

Mr. Chairman: Mr. Roy, please confine yourself to the Bill itself.

Sj. Satya Priya Roy: Sir, I am speaking on the Bill—

আমি দেখাতে চাচিছ এই যে অপরাধণুৰণত তার সমাধান করবার মৌলিক সমস্যা সমাধান বিষয় এ বিলের মধ্যে নাই।

Mr. Chairman: You please strictly confine yourself to the matters referred to in the Bill.

Sj. Satya Priya Roy:

কোথাও বিলে অপরাধপুবণতা দুর করা বিষয়ে কিছু নাই। একটা ১৬ বছরের ছেলের অপরাধ-পুৰণতার কথা উল্লেখ করা হয়েছে। সরকার পক্ষ থেকে কোনরকম গঠনমূলক কাল, উনুতিমূলক কাল, কোনরকম আনন্দ দেবার কাজ, স্থন্থ কর্মধারার ভিতর দিয়ে তাদের অফুরস্ত কর্মপ্রেরণা প্রকাশ যাতে হতে পারে তার কোন ব্যবস্থাই বিলে নাই। শুধ জেলে পাঠিয়ে সমস্যার কোন সমাধান হবে না এটা যে সরকার বুঝতে পেরেছেন তা বিল থেকে বুঝা যায় কিন্তু তারা কেবল অর্ক্ষেক সভ্য অনুধাবণ করেছেন, বাকী অর্দ্ধেক সত্য উপলব্ধি না করার জন্য বিলটা অসম্পূর্ণ থেকে গেছে; অর্থাৎ অপরাধ-প্রবণতা কিভাবে দূর হতে পারে এবং কি উপারে **সেটা বন্ধ করা যায় সে বিষয়ে কোন কর্ম্মপন্ধা দেখতে** পাচিছ না। রাষ্ট্রের সে দায়িছ কে নেবে সেটা স্পষ্ট করে বলা উচিত ছিল। সেক্সন ৫(২)তে যে অভিভাবকদের শান্তি দেবার ব্যবস্থা হয়েছে, সেখানে আমাদের বন্ধব্য ছেলেদের অভিভাবকদের অসতর্কতার IC: Catus Dais

Government

[Sj. Satya Priya Roy.]
ফলেই সৰ সময় ছেলের। সেই সৰ অপরাধ করে না।
ছেলের। যে অপরাধ করছে সেটা অভিভাবকলের
জন্য নয়, আজকে সমাজের বে অবস্থা তাতে
খাভাবিকভাবে ছেলের। অপরাধপুবণ হয়ে পড়ছে।
এবং সেটা দূর করার সম্পূর্ণ দায়িছ হচেছ সরকারের।
সরকার সেদিক থেকে তাদের দায়িছ পালন করছেন
না।

[11-11-5 a.m.]

পোবেসন অফিযার বলে তারা যে জিনিম করছেন সেটা পুলিশ অফিসারেরই নামান্তর। ছেলেদের অস্থান্ত্যকর পরিবেশ থেকে টেনে নিয়ে এসে একটা অন্ত পরিবেশের মধ্যে শিক্ষিত করবার কোন ব্যবস্থাই এই বিলের মধ্যে নেই। ছেলে বর্ত্তমানে বেরকম শিক্ষা পাচেছ সেরকম শিক্ষাই পেতে থাকবে, যেরকম পরিবেশে তারা চলছে সেই পরিবেশেই তারা চলতে থাকৰে স্বতরাং শুধু কয়েকজন প্রোবেগন অফিসার ছারা কোন ভাল কিছু হবে এই রক্ষ আশা বান্তবিক এই সমস্ত প্রোবেসন কর। যায় না। অফিসার পলিশ অফিসারেরই নামান্তর পিতার আমরা এতদিন জানতাৰ অপরাধে পত্র শান্তি পায় কিন্তু দেখতে পাচিছ পুত্রের অপরাধের জন্য পিতাকে শাস্তি গ্রহণ করতে হবে। বর্ত্তমান সমাজ ব্যবস্থায় পশ্চিমবঙ্গে পিতা হওয়া একটা অপরাধ। এখানে দেখতে পাচিছ শিক্ষার যা কিছু দায়িত্ব সমস্তই অভিভাবকদের ঘাড়ে ফেলে দেওয়া হচেছ। আজ পশ্চিম বাংলার ৬৪ পার্লেণ্ট শিক্ষার দায়িত্ব গৃহণ করছে অভিভাবক এবং সরকার বহন করছে মাত্র ২১ পার্লেণ্ট ভাগ। কাজেই পিতা হওরাটাই যে অপরাধ এই বিলের ঘারা সেটা প্রমাণিত ছয়ে গেল। বর্ত্তমান সমাজের যে অস্ত্রন্থ পরিবেশের মধ্যে ছেলের। গড়ে উঠছে তার জন্য দায়ী কর। হচেছ সম্পূৰ্ণ অভিভাৰকদের। মাঝে মাঝে ছেলেরা कूल करलराजत बांटरत हरल जारम, উरखाजना बुदुर्ख চলে আসে, তার জন্য আজ অভিভাবককে শাস্তি (मुख्या रत्य बहेठारे रत्रह यन वित्वत्र डेस्म्ना। त्मचे छेत्कना यनि इत्य थ। त्क छोडल त्य बून छेत्कना নিয়ে এই বিল রচিত হয়েছিল বাতে ভেলধানাতে পিয়ে হ্যাডেও ক্রিমিন্যালস না হয় সেই সমস্ত উদ্দেশ্য बार्थ ছয়ে याता

আমি সেই জন্য বলি এটা জনসাধারণের মধ্যে পুচার করা হোক এবং তাদের অভিনত নেবার চেটা করা হোক, এবং আর একটা ক্ম্প্রিহেনসিভ বিল করা হোক। যে ক্ম্প্রিহেনসিব বিলএ এবন সব ব্যবস্থা ধাকবে বাতে করে বে সম্ভ জনারাধ্যবধ

নাগরিক, তাদের অপরাৰপুবপতা দুর করে বিজ্ঞান-সন্মত পদ্ধতিতে তাদের স্বষ্ঠুভাবে গ'ড়ে তোলার জন্য রাষ্ট্রের পক্ষ থেকে সুযোগ দেওয়া বার।

Sj. K. P. Chattopadhyay: Chairman, Sir as one of our pre-vious speakers has already pointed out, the Bill is meant for two purposes. But there is some doubt proper implementation whether will be possible within the provisions as they are made. Sir, I shall draw your attention to clause 10 "A probation officer shall, subject to such rules as may be prescribed, enquire if called upon by a Court into the circumstances or home surroundings of any offender with a view to assist the Court in determining the most suitable method of dealing with him." beg to submit, Sir, that the framers of the Bill have completely failed to comprehend the very complex tactors that are associated with delinquency. If they had understood the problem they would not have noted the clause like that. They would then have made a compulsory provision. Human nature is the same all the world over and studies of delinquency that have been made in other countries can throw a good deal of light in our own country. In our Republic, I beg to note with regret, comparatively little work has been done. Occasional cases have been studied in Bombay or elsewhere. one of my research assistants helped by a research scholarship granted by the Government of India on my representation, has been studying this problem. Although it may sound a bit academic I would like to draw attention to certain factors which are associated with delinguency which the framer of the Bill ought to understand so that he will realise the reason for those factors. Surveys have been very thorough in London with regard to the problem of delinquency by Cyril Burt, now Professor of Applied Psychology. which shows that poverty is a contributory factor but that is not the only factor. For example, the

poor and very poor of London numher about 22 per cent. but the proof delinquents dolescents,-I do not speak of rown-ups-because full data is not vailable on this head-was in the neighbourhood of 38 per cent., that s to say a proportionately high igure for delinquency is found. Vevertheless, although the proporion was high among the poor and he proportion among the people iving in comfort was much less compared to their population it was there still. It was about one-third or one-fourth of their proportionate trength. That shows that poverty a contributory factor although that is not the only factor. In the ease of the people who had been hus found guilty of delinquency, inquiries were made—in every case by the probation officer there. 'vril Burt was himself a probation officer in those days when I was in England as a student and I happened to meet him. He has in his very ine report given a good many letails of these cases.

11-5-11-10 a.m.]

ocial conditions are very importnt such as home conditions. For xample, if it is a good home where roper family discipline is mainained proper care is taken that hildren do not easily go astray. lut, as you are aware, poverty ften makes it difficult to enforce nch discipline at home. ome of a poor man may be such hat there may not be adequate and, adequate room for the hildren or the grown-ups either to ave leisure or any comfort. The mited data that we have been able o collect throws some light on this toblem. I say limited compared the vastness of our country only -for about 1,000 old cases from ecords of the Juvenile Court and nother 900 current cases have been arefully studied in Calcutta by urselves. This is not quite negliible. On the basis of that we find hat poverty is certainly a contrintory factor. In the case of thers where the father is dead here is a higher frequency of elinquency amongst the adolecents. Then, Sir, there is another

problem. In a certain proportion of cases low intelligence, defective intelligence or sluggish intelligence is a contributory factor. These have got to be examined. Finally, it must be found out whether there are special emotional disturbances due to biological reasons. Doctors can determine that very easily. The probation officer must in every case submit a report to the Magistrate before he passes an order. It is noted in the Bill that the Magistrate has power to pass orders when he thinks necessary and there is also the provision that the court may take into consideration the report from a probation officer under whose jurisdiction the offence has been committed. But, Sir, you will realise from the factors that lead to delinquency that there must be a report in all such cases specially of those to whom the mover has referred under clause 5-those under 16 years of age. Unless this is done you cannot decide what should be the remedy. As a medical man he cught to have known that the remedy that a doctor prescribes for a disease cannot at all have any effect unless the nature of the malady and the causes of the same are known. For these reasons, Sir, a certain amount of redrafting seems to be necessary. I shall say something when I come to clause 12 and speak on my amendment later on. At the present moment I may say that it is very necessary that at least the defects that have remained in the other clauses should be remedied by having certain alterations made in them.

There is another point to which I should like to draw his attention. The procedure at present is somewhat defective in the case of control of persons who are juveniles and adults. There is a children's court. This Act, of course, will not supersede the Children's Act or the Borstal School Act but will supplement the provisions of these Acts.

[11-10-11-15 a.m.]

If an adolescent is associated with an adult in any crime, the special

[Si. K. P. Chattopadhyay.] courts that have been set up for considering the cases of adolescents have no jurisdiction. They are sent up before the ordinary court. Now, that happens, and unfortunately the special arrangements made in children's court which give a special treatment to juveniles are not effective. In this particular Bill there is no upper limit, and although it will not interfere with the Children's Act or the Bengal Borstal School Act, it will have some operation so far as they are concerned. I would, therefore, suggest that some provision should be inserted in that respect also.

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The Hon'ble Dr. Jiban Ratan Dhar: Sir, in framing this Bill we have consulted all the existing Acts of other States, and then sometime back, while preparing the Bill, I and the Inspector-General of Prisons had the opportunity of meeting the Chief Probation Officer of the United Provinces who is supposed to be a specialist on the subject, and we discussed threadbare the subject matter of this Bill.

Sj. K. P. Chattopadhyay: Has he published anything on this matter?

The Hon'ble Dr. Jiban Ratan Dhar: Yes, there are many publications. We have got in our department.

Dr. Monindra Mohan Chakrabarty: What is his name?

The Hon'ble Dr. Jiban Ratan Dhar: Mr. Varma.

Sj. K. P. Chattopadhyay: You mean the gentleman who wrote that book on the Children's Act?

The Hon'ble Dr. Jiban Ratan Dhar: Yes. Moreover, the subject matter of the Bill is of a specialised character, and mere public opinion will not be of much help to us. I, therefore, consider that the circulation of the Bill at this stage will serve no useful purpose. We are already late in introducing this Bill. Other States have their Acts in operation for a long time, and all countries of the world have their

probation system operating for a long time. I believe there is nothing controversial in this Bill. There may be some improvement, but we have to work this Bill and find out the result, and then we will bring new amendments if necessary. I hope that at this stage the members will accept this Bill.

The motion of Dr. Monindra Mohan Chakrabarty that the Bill be circulated for the purpose of eliciting opinion thereon by the 15th December, 1954, was then put and lost.

The motion of the Hon'ble Dr. Jiban Ratan Dhar that the West Bengal Offenders (Release on Admonition and Probation) Bill, 1954, as passed by the Assembly, be taken into consideration, was then put and agreed to.

Clauses 1 to 3.

The question that clauses 1 to 3 do stand part of the Bill was then put and agreed to.

Clause 4.

Dr. Monindra Mohan Chakrabarty: Sir, I beg to move that in clause 4(3), in lines 2 and 3, after the words "a probation officer" the following words be inserted, namely:—

"or Magistrate or Circle Officer or a society or organisation recognised by the Government as competent to exercise the work of supervision."

Sir, actually the purpose of this amendment is to widen the scope of this clause.

[11-15—11-20 a.m.]

Sir, it may be that for some reason or other a probation officer may form a particular opinion about an offender under his charge. Sir, the same purpose would be served by my amendment also. I have tried by my amendment that this work of supervision upon the juvenile offenders could be exercised by other responsible officers of Government, responsible society or organisation recognised by Government

—which the court can take into account. I think this is a very simple amendment and I hope the Hon'ble Minister will not find it difficult to accept.

Nirmal Chandra Bhattacharyya: Sir, I would like to make a suggestion in connection with the amendment moved by my friend Dr. Chakrabarty. I suggest with regard to the exercise of power by probation officer in section 4, rules may be framed under section 12 of the Act to require the probation officer to be in consultation with social bodies or organisations that are interested in welfare work of this nature. By rules, I helieve, the scope of section 4 may be improved to a very large extent. Under section 12, the Government is authorised to frame rules and the rules may be framed to improve the scope of section 4.

The Hon'ble Dr. Jiban Ratan Sir, the Government is creating a separate specialised body of experts for this purpose. The Magistrates and all other officers of Government have very little tome to look into this matter. A society or an organisation cannot properly do the work of a probation officer who will be appointed under section 9(1)(a). A provision is, therefore made so that a society will be given some benefit if it provides officers to Government for this purpose. I think the proposals of Dr. Chakrabarty and Professor Bhattacharyya are unnecessary. These probation officers will make better enquiries than any Magistrate or Circle Officer. So all these provisions are there and there is nothing to add to it.

The motion of Dr. Monindra Mohan Chakrabarty that in clause 4(3), in lines 2 and 3, after the words "a probation officer", the following words be inserted, namely:—

"or Magistrate or Circle Officer or a society or organisation recognised by the Government as competent to exercise the work of supervision,"

was then put and lost.

The question that clause 4 do stand part of the Bill was then put and agreed to.

Clause 5.

Mr. Chairman: There is a short-notice amendment.

Sj. Satya Priya Roy: Sir, I beg to move that clause 5(2) be omitted.

মাননীয় সভাপতি মহাশয়, মাননীয় মন্ত্রীমহাশয় এই বিল উপস্থিত করাব সময় বলেছেন যে এই বিলটি অভ্যন্ত সহজ্প এবং সরল। বাস্তবিক সহজ্প এবং সরল ভাবেই তিনি দেখেছেন। কিন্তু কোন রক্ষ বিশেষজ্ঞের সঙ্গে বিশেষ আলোচনা না কবে, যারা অপবাধপুবণশীলদের সঙ্গে পবিচিত, যারা অপরাধশান্ত্রেব সঙ্গে পরিচিত, যারা মানুষের মনস্তম্বের সঙ্গে পরিচিত, তাদের সঙ্গে আলোচনা না করে —যা কবা উচিত ছিল—এই বিল রচিত করা উচিত হয়নি।

[11-20—11-25 a.m.]

एष् एक न्यानां प्राठितः नयगात नयांना इय ना তা স্বীকৃত হয়েছে। সমস্যার সমাধান জন্য কোথাও খুঁজতে হবে। তার কোন কথাব ইন্সিত এই বিলের মধ্যে নাই। তাছাভা এই বিলের মধ্যে একটা অন্তত ৰ্যবস্থা করা হয়েছে। শুধু পিতাকে নয়, আরও রয়েছে যে অভিভাবক তাকেও শাস্তি দেওনা হবে। যদি তার কোন রকম শৈথিল্যের জন্য বা জন্য কোন কারণের জন্য ১৬ বছবেব ছেলে বা মেয়ে কোনরকম অপরাধ কবে থাকে, তাহলে অভিভাবককে পর্য্যন্ত শান্তি দেবার ব্যবস্থা হবে, সে ব্যবস্থাও এই বিলে করা হয়েছে। এখানেও অবশ্য পিতামাতারও খানিকটা দায়িত্ব আছে। আমরা জানি অনেক বদান্য লোকের সহায়তায় ও সহানুভূতিতে অনেক পিত্যাত্হীন ছেলে লেখাপড়া শিখে। এই সমস্ক অভিভাবকদেরও যদি এইরকম আইনে শান্তি দেবার ব্যবস্থা ধাকে, তাহলে আর কেহই এইরকম পিত-মাতৃহীন শিশুর অভিভাবকম গ্রহণ করতে রাজী হবেন না। বিশেষ করে আজকে সরকারকে দেখতে হবে পিতামাতা, অভিভাবক এরা ছেলেমেয়েদের অপরাধ-পুৰণতার জন্য কতটুকু দায়ী, ডেলিনকোয়েন্সি আজ কি রকমভাবে বেডে যাচেছ, সেটা ৰাননীয় সদস্য ক্ষিতীশ প্ৰসাদ চট্টোপাধ্যায় মহাশ্র সৃক্ষ্যভাবে বিশ্রেষণ করে আপনাদের সন্মুখে উপস্থিত

[Sj. Satya Priya Roy.]

Government

করেছেন। সেই সৰ তথ্যগুলি সম্পর্কে বিচার বিবেচনা করে, সেই সম্পর্কে কার্য্যকরী ব্যবস্থা অবলম্বন করার দায়িত্ব যদি আমাদের সরকার নেন তাহলেই কেবল পিতামাতা ও অভিভাবককে ছেলেমেয়েদের অপরাধের জন্য শান্তি দেবার ব্যবস্থা করা যেতে পারে। যদি পিতামাতা ও অভিভাবক রাষ্ট্রের সঙ্গে সহযোগিতা করতে রাজী না হয় তবে সেটা করা যেতে পারে। কিছ রাষ্ট্রের পক্ষ থেকে কোন রকম দায়িত্ব নেওয়া ग्राटि अप्टे अफिगादात विषय या चाष्ट्र यपि कान एक्टल ऋत्न ना यात्र, जाक्टल এই ম্যাটেগুণ্ট অফিগারের রিপোর্ট অনুযায়ী তার শান্তি হতে পারে। সেখানে ছেলের জ্বন্য স্কল খোলা রাখা হয়েছে, সর্বাঞ্চীনভাবে শিক্ষার ব্যবস্থা কর। হয়েছে, সেই ব্যবস্থা যদি অভিভাবক প্রহণ না করেন, ठाँव ছেলেমেয়েকে विদ্যালয়ে ना পাঠান, তাহলে সহযোগিতার অভাব হয়েছে বলে অভিভাবকদের অপরাধী করা যায় এবং তার জন্য তারা শাস্তি নিতে বাধ্য। কিন্তু এখানে সরকার কি অভিভাবকদের স্থযোগ দিয়ে তাঁদেব ছেলেমেয়েকে মানুঘ কবৰার (DE) क्वर्राचन १ (पर्टम शर्याञ्जीय विमानम नाहे. य পরিবেশে ছেলেমেয়েরা মান্য হচেছ সে পরিবেশকে স্বাস্থ্যকর পবিবেশ বলা যায় না। স্বকার তার জন্য কোন ব্যবস্থা করছেন না বা তার কোন দায়িত্ব গ্রহণ করছেন না। একটা আনন্দময় পরিবেশের মধ্যে ছেলের৷ অবসর সমগ্র কাটাতে পারে, তারও কোন ব্যবস্থা করছেন না। আমাদের সাধারণ **অভিজ্ঞতা—. কলিকাতা গহরে মাঠের অভাবে ছেলেরা** রকে বদে গ্রন্থজ্ঞব করে দিন কাটাতে বাধা হয়। আর যারা দেশী উৎসাহী তারা রাস্ভাঘাটে নেমে বেলাধূলা আরম্ভ করে। যেখানে বেলাধূলারও কোন রকম অবকাশ রাষ্ট্র থেকে দেওয়া হচেছ না. সেখানে অভিভাবক ও পিতামাতার ঘাড়ে ঐ রকম শাস্তি চাপিয়ে দেওয়া নিতান্তই অন্যায় ও অযৌক্তিক বলে আমি মনে করি। যথন সবকার পক্ষ থেকে কোনবকম ব্যবস্থা নাই, তখন অভিভাবকের পক্ষ থেকে কোন সহযোগিতার প্রশা উঠতে পারে না। সরকার যদি ব্যবস্থা করেন, আর অভিভাবক যদি তখন তাদের সঙ্গে সহযোগিতা না করেন তাহলেই শান্তিমূলক ব্যবস্থার কথা উঠতে পারে।

সেদিক থেকে আমি অনুরোধ করবাে যে এই বিলের ৫(২) ধারায় বে সংশোধন প্রস্তাব সেটাকে বাদ দেওয়া হোক, তুলে দেওয়া হোক, সেটা আপনার। সর্বর্ধন করবেন। [11-25—11-30 a.m.]

The Hon'ble Dr. Jiban Ratan Dhar:

মাননীয় সদস্য সত্যপ্রিয় রায় মহাশয় যে কথা রলনেন, তাঁর অনেক কথা ঠিক কিন্তু তার সব ব্যবস্থা ষ্টেট থেকে করতে পারে না। এই যে চিলড্রেন্স ম্যান্টএর সেকসন ২৫(১) বহুকাল রয়েছে। তাছাড়া উনি এক দিকের কথা বললেন। আর একটা দিকও আছে। সেটা হচেছ এই যে অনেক গান্ধিয়ান আছেন তাঁরা তাসপাশা খেলে আড্ডা দিয়েই সময় কাটান, ছেলেমেয়েদের পুতি তাঁদের যে একটা দায়িত্ব আছে, তা তাঁরা মনেই করেন না। স্থতরাং তাঁদের পক্ষে এই বিলটা একটা ওয়ারনিং স্বরূপ বলে মনে করি।
Our Magistrates will not apply this clause in all cases,

একটা ওয়াবনিং থাকলে ভাল হয়। কাৰণ ডেলিন-কোয়েদিস যে রকমভাবে বেড়ে চলেছে, তা এর য়াবা একটু চেক হতে পারে। তিন চাব দিন আগে হিন্দুস্থান ষ্টাপ্তার্ডে দেগেছিলাম আমেরিকার একজন চিন্তানীল লোক মি: ওয়ালটাব লিপম্যান বলেছেন যে আমেবিকায়ও এই রকম একটা আইন পুবর্ত্তণ কবা দবকার।

আমাদেব গাজিয়ানর। ছেলেমেরেদের দায়িত্ব
সম্পর্কে সচেতন হচেছন না বলেই এটা আমরা
করে দিচিছ। এটা যে সকলের পক্ষে অনিষ্টকর
হবে, তা নয়, এর শুভ ফলও হতে পারে, গাজিয়ানদেব
চৈতব্যোদয় হতে পাবে। এই জন্য এটা এই বিলের
মধ্যে রাখা সঙ্গত মনে করি এবং সকল য়্যামেওমেণ্ট
মোসনকে আমি অপোজ করছি।

The motion of Sj. Satya Priya Roy that clause 5(2) be omitted was then put and lost.

The question that clause 5 do stand part of the Bill was then put and agreed to.

Clauses 6 to 8.

The question that clauses 6 to 8 do stand part of the Bill was then put and agreed to.

Mr. Chairman: Dr. Chakrabarty, do you like to move your amendment on clause 9?

Dr. Monindra Mohan Chakrabarty: On a second thought I do not like to move my amendment on clause 9.

Bille

Clauses 9 to 11.

The question that clauses 9 to 11 do stand part of the Bill was then put and agreed to.

Clause 12.

8j. K. P. Chattopadhyay: Sir, I beg to move that in clause 12, sub-clause (3), the following words be added at the end:—

"shall be laid before and shall have effect if approved by the Legislature."

Sir, the State Government may make rules for the purpose of this Act, describe in what manner appointment of probation officers shall be made, formulate the terms of and manner under which the probation officers shall carry out their duty and so on and so forth. I have already pointed out that there seems to be failure to realise the complexity of the problem involved. I may tell you that from a study of the cases of juvenile offenders-since we do not have probation officers for adults—I have been able to conclude that the rules require to be scrutinised and to have the approval of the Legisliture. If the rules are framed without consulting the Legislature the purpose of the Bill will be defeated. The probation officers are required to submit reports but from the study of about 1,000 cases I found that the probation officers make very little report or they do make some report which do not cover the necessary ground. I am not blaming the people who have been appointed. They have not been trained for this kind of work; they do not have any idea of this type of work. That is the reason why such people are bound to be unsuccessful. There is another hindrance also. If a probation officer goes to the locality from which the delinquent has come the first thing that he meets is acute suspicion.

[11-30-11-35 a.m.]

He may even be threatened that he will be thrashed, he will be given a

beating if he tries to make a detailed enquiry. If of course he tries to use his position, if he is a police officer, then the necessary contact disappears. He gets no contact and the mair purpose for which he is appointed, namely, to sympathetically consider the case of the delinquent and to help him in rehabilitation, cannot be secured. These are some of the difficulties. Even a research worker, when he goes to collect details, may be threatened. That sort of thing happens. I am speaking on the basis of actuality. The broader difficulties to which some of my friends referred are there. Rehabilitation is only possible when there is a general increase in the level of conditions of life. You cannot do that otherwise. But apart from that whatever good that may be done by this Bill will fall short of the intentions unless you have the proper type of men. I do not think that either the department or the honourable mover has understood the complexities of the case. That is why I have suggested that the rules that would be framed should be placed before the Legislature and approved by them so that we may know what sort of rules have been framed; otherwise the Executive will decide at their sweet will what is to be done, and what has happened in the case of juveniles will also happen in the case of adults. The issue at stake is a very large one. I think something like one crore of rupees is spent on jails. If I am wrong, the Hon'ble Minister will correct me. If you can help first offenders to rehabilitate themselves, you will be saving the State and the people a very large sum of money now spent on jails. It is, therefore, a very good object indeed and the Hon'ble Minister should frame a proper set of rules so that the implementation of the Bill may not go astray.

Sj. Nirmal Chandra Bhattacharyya: Mr. Chairman, Sir, I support the amendment that has been moved by Professor Chattopadhyay with all the emphasis that I can command. Sir, it raises two questions. In the first place, there

We

[Si. Nirmal Chandra Bhattacharyya.]

is the question of principle. do not object to this rule-making power being given to the Government. In a social service State it is necessary that with regard to social service schemes the Government should be empowered to make rules. But, Sir, these rules may go very far indeed, and these rules may in fact constitute a danger to the scheme that is sought to be adumbrated by means of the statute. Sir, the function of rule-making belongs in democratic countries to the Legislature. But, as I have indicated, in a social service State rule-making power has to be given to the Government. Therefore, what is necessary in the interests of democratic Government is to restrict this power of rulemaking as far as possible. In England this kind of rule has been regarded with some disfavour after the first world war. This kind of rule came to be designated as bureaucratic legislation. Rulemaking power was a power resorted to frequently by the Government; it was regarded as bureaucratic legislation. This bureaucratic legislation has been supposed to be an encroachment upon the powers of the Legislature. One of the distinguished Lord Chancellors of the inter-war period, Lord Hewitt, described this bureaucratic legislation, this exercise of the rulemaking powers of the Government, as new despotism because it was a power which belonged to the Legislature but had to be given to the bureaucracy. As a matter of fact these rules have the support of the Ministry, but these rules emanate from the permanent officials and may be regarded as bureaucratic legislation. A committee appointed to go into the whole question and the committee reported that it was necessary that the rules that are framed by the Government which are the product of delegated legislation should be placed before the Legislature.

[11-35—11-40 a.m.]

They further reported that these rules should be also subject to the scrutiny of the court of law-

Chairman: Mr. Bhattacharyya, you are going beyond the scope of the amendment.

Nirmal Chandra Bhattacharyya: Sir, it raises a question of principle—Sj. Chattopadhyay's suggestion. He has not disputed the principle. He has suggested that the rules should be placed on the table of the House and in that connexion I may develop my point that rules that are framed should be placed on the table of the House, as it is in conformity with the principles of democracy accepted in other countries. Therefore, I am perfectly in order in saying this in connexion with this amendment.

Sir, we do not object to this rulemaking power being given to Government. What I suggest is that these rules would be subject to the scrutiny of the Legislature. If we look at the Bill as a whole, it will appear that the improvement of the Bill and the utility of the Bill will entirely depend on the rules that are framed. Rules really constitute the important part of the Bill. It is for this reason that we suggest that they should be placed on the table of the House so that members may have an opportunity of looking into them and make their suggestions to Government if any.

With these words, Sir, I support the amendment moved by Professor Chattopadhyay.

The Hon'ble Dr. Jiban Ratan Dhar: Sir, the honourable members have raised certain points which are beyond the jurisdiction of the present Bill. There is no question of general principle now. Sir, the rule-making power is vest-ed with Government and Government will frame the rules in collaboration with experts in the line. In all cases rules are framed by Government——(Sj. NIRMAL CHANDRA BHATTACHARYYA: Service Committee Rules were not

tramed by Government.) We shall select probation officers from among the very best men available in the line, and in doing so we may have to select men from other States also. At least we may select the Chief Probation Officer from outside our State. We may send some of our officers to other States on deputation to learn this thing. Sir, we have considered all these points and we shall do our best to appoint best men available for this purpose. About rules, we shall take the help of best experts in the line in framing our rules. Sir I hope the honourable members will give us their co-operation in the matter.

The motion of Sj. K. P. Chattopadhyay that in clause 12(3), the following words be added at the end:—

"shall be laid before and shall have effect if approved by the Legislature,"

was then put and lost.

The question that clause 12 do stand part of the Bill was then put and agreed to.

Clauses 13 to 15.

The question that clauses 13 to 15 do stand part of the Bill was then put and agreed to.

Preamble.

The question that the Preamble do stand part of the Bill was then put and agreed to.

The Hon'ble Dr. Jiban Ratan Dhar: Sir, I beg to move that the West Bengal Offenders (Release on Admonition and Probation) Bill, 1954, as settled in the Council, be passed.

The motion was then put and agreed to.

[11-40-11-42 a.m.]

Messages.

Secretary: Sir, messages in respect of the following Bills have been received from the West Bengal Legislative Assembly:—

(1)

"Message.

The West Bengal Cinemas (Regulation) Bill, 1954, as passed by the West Bengal Legislative Assembly at its meeting held on the 14th September, 1954, has been duly signed by me and is annexed herewith. The concurrence of the West Bengal Legislative Council to the Bill is requested.

S. K. MUKHERJEE,

Speaker,
West Bengal Legislative
Assembly.

CALCUTTA:

The 15th September, 1954."

(2)

"Message.

The West Bengal Requisitioned Land (Continuance of Powers) (Second Amendment) Bill, 1954, as passed by the West Bengal Legislative Assembly at its meeting held on the 15th September, 1954, has been duly signed by me and is annexed herewith. The concurrence of the West Bengal Legislative Council to the Bill is requested.

S. K. MUKHERJEE,

Speaker.

West Bengal Legislative Assembly.

CALCUTTA:

The 16th September, 1954."

(3)

"Message.

The West Bengal Evacuee Property (Amendment) Bill, 1954, as passed by the West Bengal Legislative Assembly at its meeting held on the 15th September, 1954, has

been duly signed by me and is annexed herewith. The concurrence of the West Bengal Legislative Council to the Bill is requested.

S. K. MUKHERJEE.

Speaker,
West Bengal Legislative
Assembly.

CALCUTTA:

The 16th September, 1954."

(4)

"Message.

The Cooch Behar (Assimilation of State Laws) (Amendment) Bill, 1954, as passed by the West Bengal Legislative Assembly at its meeting held on the 15th September, 1954, has been duly signed by me and is annexed herewith. The concurrence of the West Bengal Legislative Council to the Bill is requested.

S. K. MUKHERJEE.

Speaker,
West Benyal Legislative
Assembly.

CALCUTTA:

The 16th September, 1954."

(5)

"Message.

The Waste Lands (Requisitioning and Utilization) (Amendment) Bill, 1954, as passed by the West Bengal Legislative Assembly at its meeting held on the 15th September. 1954, has been duly signed by me and is annexed herewith. The concurrence of the West Bengal Legislative Council to the Bill is requested.

S. K. MUKHERJEE,

Speaker,
West Bengal Legislative
Assembly.

CALCUTTA:

The 16th September, 1954."

Sir, I lay on the table copies of these Bills.

Question of privilege.

Sj. Nirmal Chandra Bhattacharyya: May I, Sir, with your permission raise a question of privilege. It is this. Every session a day is allotted for non-official business. I have given notice of a number of resolutions and so also my friends over here. In view of our request we hope, Sir, you will be good enough to allot a day for non-official business.

Mr. Chairman: Both the Chief Minister and the Leader of the House have got to be consulted on this matter, and I shall speak to them. If it is convenient, certainly a day will be set apart, but it will all depend on the nature of business.

Sj. Nirmal Chandra Bhattacharyya: It depends on you entirely.

Dr. Monindra Mohan Chakrabarty: It is in your discretion. You can allow that.

Mr. Chairman: According to the rules I can do it, but there are certain formalities which have got to be gone through.

The House stands adjourned till 9-30 a.m. on Monday, the 20th September, when the Bills referred to just now will be taken up. Amendments will be received up to Saturday.

Adjournment.

The Council was then adjourned at 11-42 a.m. till 9-30 a.m. on Monday, the 20th September, 1954, at the Legislative Buildings, Calcutta.

Members absent.

Banerjee, Sj. Sankar Das,
Basu, Sj. Gurugobinda,
Chatterjea, Sj. Devaprasad,
Dutt, Sjkta. Labanyaprova,
Ghose, Sj. Kamini Kumar,
Prodhan, Sj. Lakshman,
Sanyal, Sj. Charu Chandra,
Saraogi, Sj. Pannalal,
Sarkar, Sj. Pranabeswar,
Sen, The Hon'ble Prafulla
Chandra, and
Sinha, Sj. Rabindralal.

COUNCIL DEBATES

Monday, the 20th September, 1954.

THE COUNCIL met in the Legislative Chamber of the Legislative Buildings, Calcutta, on Monday, the 20th September, 1954, at 9-30 a.m. being the sixth day of the Fifth Session, under the Constitution of India.

Mr. Chairman (The Hon'ble Dr. SUNITI KUMAR CHATTERJI) was in the Chair.

[9-30—9-35 a.m.]

QUESTION

(to which oral answer was given)
Enquiries in respect of foreign sugar.

- 8. Sj. Annada Prosad Choudhuri: Will the Hon'ble Minister-in-charge of the Food Department be pleased to state—
 - (a) the quantity of foreign sugar actually imported and is likely to be so done during the current financial year 1953-54 and at what rate;
 - (b) what are the arrangements of clearing and distribution in Calcutta and in other importing ports; and
 - (c) whether it is a fact that a Clearing Agent has been appointed in Calcutta; and if so, on what terms?

Minister-in-charge of the Food Department (the Hon'ble Prafulla Chandra Sen): (a) $22,579\cdot114$ tons at Rs. 29-4 per maund and $20,036\cdot9$ tons at Rs. 28-12 per maund were imported during 1953-54.

(b) The clearance of goods from the docks at Calcutta is made by Messrs. Sugar Distributors Ltd. who have been appointed by Government for the purpose. Sugar stocks are distributed through a number of quota-holders who sell the stocks to the depot-holders, appointed retailers, other approved retailers, grocers and establishment proprietors in Calcutta Industrial Areas.

and Answers

No information regarding the mode of clearance and distribution in other ports of India is available.

(c) Yes, on a commissoin of Rs. 2-8 per 10 tons.

Si. Annada Prosad Choudhuri:

মাননীয় মন্ত্ৰীমহাপয় বলবেন কি যে, এই যে দুই বাবে ২২,৫৭৯ টন আব ২০,০৩৬ টন আমদানী করা হযেছিল, এটা কি দুই বাবে বিভিন্ন দরে আনা হযেছিল না কয়েক বাবে বিভিন্ন দরে আনা হয়েছিল?

The Hon'ble Prafulia Chandra Sen:

কয়েক বারে।

Sj. Annada Prosad Choudhuri:

এই যে ২৯।০ আনা দরে ২২,৫৭৯ টন আনা হয়েছিল তা কতবারে আমদানী করা হয়েছিল?

The Hon'ble Prafulla Chandra Sen: I cannot give the figures. These sugars are imported by the Government of India and when a ship comes the entire stock may not be allotted to us. It sometimes happens that half the quantity is allotted to us and the other half to the other States. I cannot give you the figures because we do not import.

Sj. Annada Prosad Choudhuri:

মাননীয় মন্ত্ৰীমহাশম বলবেন কি, এই যে অছ বলা হয়েছে এটা গভৰ্ণবেণ্ট অফ্ ইণ্ডিয়ার কাছ থেকে নিয়ে বলা হয়েছে, না যাদের হাতে কোটা দেওয়া হয়েছিল তাদের কাছ থেকে নিয়ে বলা হয়েছে ?

The Hon'ble Prafulla Chandra Sen: To us by the Government of India.

Si. Annada Prosad Choudhuri:

व्यानि এইটা জানতে চাই यে, এই यে ২২,৫৭৯ টন ग्रांनिট করা হয়েছিল ২৯।০ খানা বরে, এটা একবারে ग্রালট করা হয়েছিল, না বারে বারে য়্যালট করা হয়েছিল? The Hon'ble Prafulla Chandra Sen: One ship cannot carry 20,000 tons so the stock comes in three, four or five instalments.

Sj. Annada Prosad Choudhuri:

এই যে পুণার ডিট্রীবিউটার্সকে কুয়ারিং এজেণ্ট-এর ভার দেওয়া হয়েছিল, এর আগে বা পরে তারা এই সমস্ত চিনির কি কুয়ারেন্সএর কাঞ্চ করেছিল, না ধালি ডিট্রীবিউসনের ভার নিমেছিল ?

The Hon'ble Prafulla Chandra Sen: They were Clearing Agents as well as Distributors.

8j. Annada Prosad Choudhuri:

ডিষ্টাবিউটিং এও কুমারিংএর জন্য ১০ টনে ২।।০ টাকা মুনাফা দেওয়া হত কি?

The Hon'ble Prafulla Chandra Sen: That represents only the charges for clearance.

Sj. Annada Prosad Choudhuri:

ডিষ্টাবিউসনএ কত আর ক্লিয়ারেন্সএ কত পাচেছ বলবেন কি ?

The Hon'ble Prafulla Chandra Sen: The margin that was given to them varied from 12 annas to Re. 1.

Sj. Annada Prosad Choudhuri:

এই যে বলেছেন সুগার ডিষ্টাবিউটার্স এর। এই যে ডিষ্টাবিউসনএর ভার পায় তখন ভারত সুগার ম্যাসোসিয়েসন কি এই ভার চেয়েছিল ?

The Hon'ble Prafulla Chandra Sen: I am afraid that does not arise out of the question.

SI. Annada Prosad Choudhuri:

মন্ত্রীমহাশয় বলবেন কি, এই যে যাদের কুিয়ারেন্স-এর ভার দেওয়া হয়েছে, এদের কুিয়ারেন্সএর বন্দোবস্ত অন্য কোন প্রভিন্সে আছে কি না ?

[9-35-9-40 a.m.]

The Hon'ble Prafulla Chandra Sen: That may very well be asked of the Government of India.

Sj. Nirmal Chandra Bhattacharyya: Will the Hon'ble Minister please state if the clearing agents appointed are a Bengalee firm? The Hon'ble Prafulla Chandra Sen: Although they are appointed clearing agents, the stevedoring is done, so far as I know, by a Bengalee firm.

Sj. Nirmal Chandra Bhattacharyya: Will he kindly state who are the clearing agents?

The Hon'ble Prafulla Chandra Sen: It has been stated here that the Sugar Distributors Ltd. were the clearing agents. But so far athe stevedoring part of the business is concerned, it was done by a Bengalee firm.

Sj Nirmal Chandra Bhattacharyya: Will he kindly state it it was a Marwari firm?

The Hon'ble Prafulla Chandra Sen: So far as I am aware there was no Marwari stevedore.

8j. Nirmal Chandra Bhattacharyya: Were there Marwariamong the clearing agents?

The Hon'ble Prafulla Chandra Sen: The Sugar Distributors Ltd. have got Bengalee members awell as Marwari members, Hindu members, Muslim members and perhaps Christian members too.

Sj. Debendra Sen: Who was the blessed Bengalee firm of stevedores who did the clearance?

The Hon'ble Prafulla Chandra Sen: I want notice. I do not remember the name of the Bengalee firm. I know those who were given stevedoring were always Bengalees.

Sj. Annada Prosad Choudhuri:

মাননীয় মন্ত্রীমহাশয় বলবেন কি, এই যে যাবা ডিট্রীবিউটিং এবং কুিমারিংএর ভার পেয়েছে, এই সুগার ডিট্রীবিউটার্স লিমিটেডদের কাছে তুড ডিপার্টমেণ্ট থেকে ১৪৩ জন লোককে পাঠিয়ে দেওয়া হয়েছিল জন ডেপুটেসন কি না ?

The Hon'bie Prafulla Chandra Sen:

কত I do not know তবে a large number of our employees were there on deputation.

8]. Annada Prosad Choudhuri:

মাননীয় মন্ত্ৰীমহাশয় বলবেন কি, এই যে কৰ্মচারী বাদের অন ডেপুটেসন পাঠান হয়েছিল, তাদের গভর্ণমেণ্ট শ্যেচছায় পাঠিয়েছিলেন, না সুগার ডিক্টাবিউটার্স লিমিটেড চেয়ে পাঠিয়েছিল ?

The Hon'ble Prafulla Chandra Sen: That was mutually done.

Sj. Annada Prosad Choudhuri:

এই যে ১৪০-৫০ জনকে পাঠান হয়েছিল তাদের কি সর্ব্তে ডেপুটেসনে পাঠান হয়েছিল ?

The Hon'ble Prafulla Chandra Sen: I want notice. I do not remember what were the terms. If the hon'ble member gives notice I will tell him.

Sj. Annada Prosad Choudhhri:

মন্ত্রীমহাশয় বললেন এই যে ষ্টিভেডোর ফার্ম বাঙ্গালী ফার্ম অধচ নাম মনে নেই, তাহলে কি করে বললেন যে বাঙ্গালী ফার্ম ?

The Hon'ble Prafulla Chandra Sen: There are so many stevedore firms. That does not arise out of this.

8j. Annada Prosad Choudhuri: It is in connection with the reply he gave just now.

The Hon'ble Prafulla Chandra Sen: I want notice.

- Sj. Annada Prosad Choudhuri: That is a safe course to adopt.
- Minister please state whether before appointing those clearing agents, any tender was called for?

The Hon'ble Prafulla Chandra Sen: It was not thought necessary.

8j. Satya Priya Roy: Will the Hon'ble Minister please state if the stevedore did part of the business of clearing agents, then why a firm of clearing agents was appointed?

The Hon'ble Prafulla Chandra Sen: Because, apart from the discharge of the commodities, they had to carry stocks from the docks to the depots.

Janab Abdul Halim:

যার। এই ডিট্রাবিউটিং ও ক্রিয়ারিং এক্লেণ্টদের মেঘার তারা কি কংগ্রেস পার্টতে চাঁদা দিরেছিল?

The Hon'ble Prafulla Chandra Sen: That does not arise.

8j. Annada Prosad Choudhuri:

এই যে শুগার ডিষ্টাবিউটার্স লিমিটেড, যাদের হাতে
ডিষ্টাবিউটিং ও কুিয়ারিংএর ভার দিয়েছেন তাদের
অংশীদারদের কাছ থেকে মাস্রাজে যে ৪৫ হাজার
টন চিনি গভর্গমেণ্ট জফ ইণ্ডিয়া সীজ করেছিল
সেটা কি এই চিনি ?

The Hon'ble Prafulla Chandra Sen: I have no knowledge.

Sj. Debendra Sen: Will the Hon'ble Minister please make enquires on the question just asked for?

The Hon'ble Prafulla Chandra Sen: I do not think it is necessary.

Message.

Secretary (Sj. A. R. Mukherjea): Sir, the following message has been received from the West Bengal Legislative Assembly, namely:—

"Message.

The West Bengal Livestock Improvement Bill, 1954, as passed by the West Bengal Legislative Assembly at its meeting held on the 16th September, 1954, has been duly signed by me and is annexed herewith. The concurrence of the West Bengal Legislative Council to the Bill is requested.

CALCUTTA:

The 17th September, 1954.

S. K. MUKHERJEE,

Speaker,

West Bengal Legislative
Assembly."

Sir, I lay on the table a copy of the Bill.

COVERNMENT BILLS.

The West Bengal Cinemas (Regulation) Bill, 1954.

The Hon'ble Dr. Bidhan Chandra Roy: Sir, I beg to move that the West Bengal Cinemas (Regulation) Bill, 1954, as passed by the Assembly, be taken into consideration.

Before the new Constitution was passed, all matters relating to cinema, either for the purpose of examination and certification of the film or for the regulation of the cinema houses and licensing of those houses, etc., were done under the old Act of 1918. Subsequently, after the Constitution came into force, the question of sanction of all cinematograph films for exhibition was taken into the Union List and other matters connected with the cinemas were put in item No. 33 of the State List.

$[9 \ 40 - 4 - 45 \ a.m.]$

Therefore, it was found necessary to divide up the old Act of 1918 into two parts—the question of the certification of films was provided for in the Central Act of 1952 and the question of providing for other matters regarding cinemas were left to the State Legislature except that in the case of Part C States. The Cinematograph Act, gives the details of what should be done with regard to exhibitions in cinemas and so on. This part was contained in Part III of the Cinematograph Act, 1952. The Cinematograph Act, 1918,repealed: "Provided that in relation to Part A States and Part B States the repeal shall have effect only in so far as the same Act relates to the sanctioning of cinematograph films for exhibition and thereafter it became incumbent on the Government of India and on other State Governments to have an Act controlling the question of exhibition of films.

Sir, I want to make this point clear. It seems from the trend of discussion that was held in the Assembly that there is some sort

of a confusion in the mind of mem. bers of the Legislature. Now. Sir, we have to consider three points. One is the question of We have no certification of films. concern with that. That will be done under the Cinematograph Act. 1952. After the film has been certified, the question of the exhibition of that film will come and we are concerned with that and this Bill has been placed before the House with that purpose in view. Sir, there is also a confusion in some mind as regards the provision for protecting the economic condition of the cinema houses. That again is not a matter for this Bill. This Bill only authorises arrangements that are to be made for the exhibition of films which have been certified as correct by the Central Act. Therefore, have very limited scope so far as this Bill is concerned. This Bill provides for certain matters which were not provided in the old Actin the 1918 Act. In the first place. we have distinguished between public and private cinematograph exhibition. In the 1918 Act again there was no provision for appeals against orders of the licensing authority. We have provided that in this Bill. Again the State Government has in certain reserved the power suo motu to alter the decision of the licensing authority if it finds that the authority has done something which is not just so far as the cinema exhibitions are concerned.

[9-45-9-50 a.m.]

Again, the Bill has given an opportunity for an applicant show cause before a license rejected. Again, we have also taken powers in this Bill for regulating the prices of exhibition of cinematographs. These are the main provisions of the present Bill. As I have said before, it is only for the purpose of filling up the gap which has been brought about by the passing of the Cinematograph Act of 1952. We have up till now been working under the provisions of the old Act until the old Act was repealed by the new Act.

Dr. Monindra Mohan Chakrabarty: Sir, I beg to move that the Bill be circulated for the purpose of eliciting opinion thereon by the 15th December, 1954.

Sj. K. P. Chattopadhyay: Sir. I beg to move that the Bill be circulated for the purpose of eliciting opinion thereon by the 31st October, 1954.

Mr. Chairman: As there are a large number of speakers, I would request honourable members to be brief in their speeches.

Bhatta-Si. Nirmal Chandra charyya: Sir, we are always brief and to the point.

The Hon'ble Dr. Bidhan Chandra Roy: You need not be so sensitive.

Monindra Mohan Chakrabarty: Mr. Chairman, Sir, although the Chief Minister in his introductory speech has stated that this Bill is designed to regulate the exhibition of films and the condition of films in West Bengal and also to remove some of the existing defects in the provisions of the Act. I feel we must take this opportunity to discuss some general points as regards - cinematograph exhibition. Sir, it is agreed that there is desirability of some sort of regulation of this important method of audio-visual means of The State propagating ideas. must take the responsibility of not only counteracting the baneful effects of cinemas on our population, particularly the more impressionable sections of our population, but in a country like ours where illiteracy is widespread, the baneful effect of cinemas on that section of the population which is illiterate is also considerable, and for this assume also Government must responsibility. Therefore, it is sometimes necessary, rather would be necessary, for the State to adopt measures to regulate the exhibition of such cinemas. But. Sir, the point is, what has been done with regard to the confusing state of affairs which is prevailing in the case of censorship authorities? It is very well known that the censorship as it exists today has created much confusion. It is not uniform in the whole of the country. Some Boards allow some films to be exhibited in some parts of the country. There are some other Boards which do not allow the exhibition of such films in other parts of the country. So, I think there should be uniformity of regulations regarding this subject, and it must also be established that once the competent authority, that is the Film Cersor Board, allow the exhibition of a film, this should be allowed to be exhibited in other parts of the country.

Bills

Sir, it is regrettable that so much of power has been put in the hands of district officials like the District Magistrate in some sections of the present Bill. Sir, the District Magistrate in any locality is a very harassed public official. He has to do so many other duties. In addition to that, if he has to review every particular case, if he has to grant licenses himself, how can he do these things? Of course I find in the speech of the Chief Minister elsewhere that he generally does so in consultation with local public opinion. Still it is a fact that the time consumed in the process might be quite lengthy.

[9-50-9-55 a.m.]

There may be exhibitions of various films by bodies—such—as—cultural organisations and other organisations. Sir, there has been a provision for appeal against the decision of the official. So I think there should have been a provision for the constitution of local boardsadvisory boards-so that boards could advise the District Magistrate all about the quality of films and these boards should have included or should include not only representatives of public opinion literary representatives of organisations, cultural organisations, litterateurs and so on-particularly the people who are best able to judge the implications of

[Dr. Monindra Mohan Chakraborty.]

these things. It is also felt that this should be done in an all-Bengal scale. We are here fortunate in having men like Shri Tarasankar Banerji and others who have very great insight into the film industry and also cultural requirements of our country. So it should not be difficult for our Government to introduce such a system so that so far as West Bengal is concerned we can have a very useful advisory committee from which we can benefit, namely, do away with the baneful effect of undesirable films.

Sir, I was just scanning through some information given by the Motion Pictures Association. I find that in 1954 out of 134 films in Hindi 65 stories were originally written for the screen and two were from published works. Out of 70 Bengali films only 20 were originally written for the screen and 50 per cent, of the total were adopted from published works.

The Hon'ble Dr. Bidhan Chandra Roy: May I point out to my friend that I have no power under the Bill to stop any particular film from being exhibited if it is once certified by the Central Advisory Board? It has nothing to do with this Bill.

Dr. Monindra Mohan **barty:** What I want to say is that most of the cuts were imposed on Hindi films for indecent postures and other sort of things. In the case of Bengali films a greater percentage of the stories have passcriticism ed through public because they were adopted from published works. What I mean to suggest is that we should have some means by which we can stop the exhibition of the undesirable films, particularly with respect to West Bengal, the undesirable Hindi films.

The second point in this connection is that we must stress for State aid to film industry in Bengal. Even in England great

organisations, like that of J. Arthur Rank, were given protection by the State so that they could go on producing films of high quality. Bengal do produce films of high quality. State protection should be granted to induce the film industry in Bengal to produce better type of films, educational films and films for younger people.

[9-55—10 a.m.]

Mr. Chairman: Dr. Chakrabarty, what you are speaking is not relevant to the Bill. You are going beyond the limits of the Bill.

Dr. Monindra Mohan Chakrabarty: All right, Sir, I will confine myself to the Bill.

The State should look into this. As I have stated that this ban even on private exhibitions by District Magistrates is an undesirable feature of this Bill. Then there is another point, that is the power to compel the licensing authority to prescribe such prices of admission as the licensing authority may determine. It is felt in some quarters that this may not be towards the interest of the film industry itself.

Sir, I hope that the Chiet Minister will think about the advisability of removing the undesirable features of the Bill.

Sj. Annada Prosad Choudhuri:

মাননীয় সভাপতি মহাশয়, সিনেমাব যে পুভাব সাধারণ পুচার কার্যের দিক দিয়ে সে বিষয় আপনাবা সকলেই জানেন যে এর পুভাব খুব সুদূরপরাহত এবং এর ধারা খুব কার্য্যকরী পুচাব কার্য চালান যায়। যখন এই বিল আমাদেব সামনে আসবাব কথা শুনলাম, তখন আমার মনে হযেছিল বাংলা দেশের সিনেম্যাটোগ্রাফ ফিলা যা আমাদের দেশে দেখান হয় তা যে সমস্ত অসুবিধা এবং অবাঞ্চলীয় পুতিক্রিয়া আমাদেব সমাজে, আমাদের জীবনে দেখা দায় তার দূর করবাব কিছুমাত্র পুচেষ্টা এর মধ্যে থাকবে, কিছু কার্য্যকরীভাবে যে যে বিষয়ের অভাব আমি দেখেছি তার ইন্দিত করে আমি অনুরোধ করবো সরকার হয় কোনরকার এই বিলের মধ্যে য্যাক্ষেপ্তনেণ্ট

আকারে অথবা রুলসএর মধ্যে তার বিধান করবেন। এব ৭ অনুচেছদের মধ্যে আছে

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"Penalties for contravention of the Acta"

গেণ্ট্রাল য্যাষ্ট অনুসারে এখানে ফিলাু সেন্সার আমি কিছুদিন রিজিওন্যাল কমিটীতে ্রেম্বাব হিসাবে প্রায় দুই বৎসর কাজ করেছিলাম। দেশার করে দেবার সময় বলা হয় কোন কোন ছবি হবে, কেবলমাত্র পূর্ণবয়ক্ষ লোকদের দেখান অপাপত বয়স্ক ছেলেদের দেখান হবে না। কিন্তু কার্য্য-दारन छ। প্রতিপালন করা হয় না। অনেক ছবি দেখানর পর-এখানে মাননীয় পুধান মন্ত্রীমহাশয় আমাব কথা শুনছেন না।

The Hon'ble Dr. Bidhan Chandra

আমি ঠিকই শুনছি। আমার এককান এদিকে আব এককান আপনার দিকে।

Si. Annada Prosad Choudhuri:

অদৃভূত। লোকের এক কান হলেই চল্তো এটা জানতাম না।

The Hon'ble Dr. Bidhan Chandra Roy:

হাঁ।, আমার উত্তরও অদূভত হবে দেখবেন।

Sj. Annada Prosad Choudhuri:

যাক। আমরা যে ছবি সেন্সার কবে দিয়েছি যে কেবলমাত্র প্রাপ্তবয়স্কদের জন্য এবং দেখতে গিয়ে দেখি এবং তিনিও জানেন, এ নিয়ে আমি তাঁদের সঙ্গে চিঠিপত্র লেখালেখি করেছি যে প্রায় শতকর। ৪০টি অপাপ্তবয়স্ক ছেলেমেয়ে সেই ছবি দেখছে যদিও সেণ্ট্রাল ম্যাক্ট অনুসারে এখানে সেন্সর বোর্ড পাস করে দিয়েছেন কেবলমাত্র প্রাপ্তবয়স্ক লোকদের ङना-कन्न ग्राजान्टेम उननि।

[10-10-5 a.m.]

আমরা তখন সেই সিনেমাগুহের কর্তুপক্ষকে জিজাস। ক্রলাম। তিনি বলুলেন "কি করব ? যদি আমর। টিকিট না দিই ওরা আমাদের টিকেট উইণ্ডো ভেকে ফেলবে; ওখানে কান পুলিশ নেই যে আ**মাদে**র বকা করবে "। তথন হোম সেক্রেটারী রঞ্জিৎ গুপ্ত নহাশয়ের কাছে চিঠি লিখলাম যে আমরা সেন্সর বোর্ড বংন বলে দিলাম যে এটা ছোট **অপ্রাপ্তবয়স্কদের** न्थान इरव ना, क्वनमाज भाखनग्रहरमत अनारे এটা চলতে পারে, আর তার যদি ব্যতিক্রম হয় टाश्टल जाननाता जात कि कत्रत्वन । উनि वन्दलन, "আমাদের করবার অধিকার নেই। যদি কোন হাঙ্গামা হয়, ডাছলে সিনেমাগুহের মালিক আমাদের. কাছে যদি পুলিশ সাহায্য চান, তখন আমরা তাদের সাহায্য করতে পারি, তা নাহলে আমাদের কোন কর্ত্তব্য নেই "। স্ণেড্ড আমি সরকারেব দৃষ্টি আকর্ষণ করতে চাই যে এই ৭নংকুজে যে বলা হয়েছে-

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No. 7. "If the owner or person in charge of a cinematograph uses the same or allows it to be used for giving an exhibition, or if the owner or occupier of any place permits that place to be used in contravention of the provisions of this Act or of the rules made thereunder, or of the conditions and restrictions upon or subject to which any licence has been granted under this Act, he shall be punishable with fine which may extend to one thousand rupces-", etc.

আমি মাননীয় মন্ত্রীমহাশয়কে জ্ঞানাতে চাই পরিংকার ভাবে. এবং আশা করি উত্তর দেবার সময় তিনি বলবেন যে এই যে য্যাডাল্টসএর জন্য সাটিফিকেট দেওয়া হয় এবং তবও সেই সিনেমাগহে নন-য্যাডাল্ট্য সাধাৰণতঃ খুৰ ৰেশী সংখ্যায় দেখে তা এই কণ্টাভেন্সন্এর गरभा পডবে কি না। তখন तलिছिलन—मृ'व<गর আগেকাব কথা---यागान गरन</p> इम्र ठर्यन এই व्याक्रि पार्य नि, ठ्यन ६ विरव्हनाधीन ছিল—তার যে পবিবর্ত্তন ফর য্যাডাল্ট্য না হয়ে कर ग्राजान्डेम अनि तात यथन किनम "(मनगर्न" করা হয়, তখন যারা দেখাবে সেই সিনেম্যানৌগ্রাফের मालिक वा ए खारन एमारव राष्ट्रे खारनव मालिक এই কণ্ট্রাভেনসনএর জন্য দায়ী হবে।

The Hon'ble Dr. Bidman Chandra Roy: অবশ্য ী

এইরকম ঘটন। দেখেতি। অনেকদিন কেসকারএর যখন রিসেপসনএর বন্দোবস্ত হয়েছিল তথন কেসকারএর কাছে এই কথাটা বলেচিলাম: তিনি বলেছিলেন আমরা এরকম নিয়ম কোরে দিতে পাবি না : কোন ফাংসনএ কোন ছবির জন্য হয়ত সার্টিফিকেট দেব তাহলে তখন সেটা ইউনিভার্যাল এক্সিনিসন - - সকলকে তা श्दर : নাহলে क्रन ग्राम्बन्दिन ওনলি বলাতে কমপেল্ড হবে এইরকম সার্টিফিকেট দিতে চাই না। এরকম আইন আমর। निश्विक कति नारे; किन्न नान्तर कार्यारकराज, यागता वनव क्रत ग्राजिन्टेन अनि -- এतकम छवि यात यामवा দিতে চাই না। কিন্তু এবিষয়ে আনি বোঝাতে পারিনি এবং পারও একটা বিষয়ে আনি নোঝাতে পারিনি

[Sj. Annada Prosad Choudhury.]
বোলে প্রায় ১৯।২০ মাদ কাজ করার পর আমি
এই দেন্দবিং বোর্ড থেকে রেদিগনেদন দিয়ে আদি।
আমি আনি আজ পর্যান্ত দেণ্ট্রাল গভর্ণমেণ্ট আমার
সম্যে একমত হলেও তা কাজে পরিণত করবার জন্য
আইন কোন আকারে লিপিবছ করেন নি।

আর একটা বিষদ বোলে আমার বজব । শেষ করব।

আমাদের দেশে এখন যে সব ছবি দেখান হয় সে

সম্বন্ধেও আমি অনেক আপত্তি তুরেছি; সেই সেনসর
বোর্ডের কাছে। অনেক বিলাতী ছবি আমাদেব

দেশে দেখান হয় তাতে বিদেশের ছাত্রছাত্রীরা অভ্যন্ত

হলেও তাদেব পুরুষ ও মেমদের যে সমন্ত আচার

ব্যবহার দেখা যায়, আমরা চাই না যে আমাদের

সমাজে তা চালু হউক; এসম্বন্ধে অনেককে জিজ্ঞাসা

করেও সেই রকম অভিমত পেয়েছি। আবার অনেকে

বলেন আমরা পুর্গেসিভ আইভিয়াজএর পক্ষপাতী।

অভ্এব আজ যা সমাজে চলে না তা দুদিন বাদে

চলবে। সেইজন্য আজকে যা আমাদের চোঝে

বিসদৃশ লাগছে সে জিনিম আমরা আইন কোরে

বন্ধ করতে চাই না।

Mr. Chairman: Are you referring to the censorship of films?

8j. Annada Prosad Choudhuri: Yes, exactly.

[10-5—10-10 a.m.]

The Hon'ble Dr. Bidhan Chandra Roy: What you are now discussing is really the stage of Third Reading of the Bill. This particular motion is for eliciting public opinion.

Sj. Annada Prosad Choudhuri: If you kindly approve of this, then the other things might be brought together. On one point you said you agree. The other point is about certain objectionable features of a particular film.

তার জায়গায় একটা বিধান আছে জনসাধারণ যদি
মনে করেন যে একটা পার্টিকুলার ফিল্মএর মধ্যে
আপত্তিজনক কিছু আছে তাহলেই এই আপত্তি
কার্য্যকরী হয় না; যখন সরকার মনে করবেন যে
খ্রিচ অফ পিস হবার আশক্তা আছে তখনই সরকার
কিছু কার্য্যকরী ব্যবস্থা করবেন। কিন্তু আমি বলি
যে কোন জায়গায় কোন ফিল্মএর মধ্যে যদি
আপত্তিকর কিছু থাকে তবে তার বিধান এখন থেকেই
কোরে দিন; তবেই এই বিল করা পর্ণাক্ষ হবে;

নইলে যদি ছেড়ে দেন যে যদি এমন কোন আপদ্ভিক্তা জিনিম্ব আসে যাব ফলে সরকার বা জনসাধারণ মতে করেন যে প্রিচ অফ পিস হওয়াব আশক্ষা আত্র তাহলে তারা ব্যবস্থা করবেন একথা যদি বল্ল তাহলে তা করতে অনেক দেরী হবে, এবং যদিং ভাল ফল ফলনে তাহলেও অনেক জল যোলা কোতে ফলবে। তার আপেই ব্যবস্থা যদি কবা হয় তাহতে ভাল হয়। তাই অনুরোধ করি এই যে সংশোধন পুস্তাব এসেছে মাননীয় মন্ত্রীমহাশয় উত্তব দেবাব সময় এই সেকসন ৬ ও সেকসন ৭ সম্বন্ধে যা বজ্বতা তা ভাল কোরে বলবেন তাহলে মনে যে আপত্তি উঠেতে সে আপত্তি নিরসন হতে পারবে।

The Hon'ble Dr. Bidhan Chandra Roy: Section 6 of the Bill?

Sj. Annada Prosad Choudhuri: Yes, section 6.

Sj. K. P. Chattopadhyay: Chairman, Sir, the present position regarding the regulation of cinemas has been stated clearly by the Chief Minister. Dr. Roy has stated that there is a Board of Film Censors who pass a film after cutting out such portions as may be considered not proper for exhibition. The only question considered he has stated, in the present Bill is about the regulation of exhibition of films. That is not absolutely correct, because there are certain lacunae. As one of the previous speakers has pointed out and I have noted it for my amendment—there are provisions for preventing the exhibition of films both in public and in private. That is not just a settlement of the under which, conditions example, precautions have to be taken so that a fire does not break out, so that people can come in and go out easily. There are also other provisions regarding the fixation of prices. There is fear 111 the Cinema Industry about this power. It is not clear what is the purpose—I shall discuss that again under another amendment which have put in—what we apprehend 15 that the giving of such wide powers to the Government in the matter of exhibition of films may lead to the exclusion of really good films. Literature and cinema films are

together. Restrictions which have been imposed on the sale of literature in public by the Central Government are quite likely to be imposed on the exhibition of cinema films. We have seen that in case of literature the powers vested in the Central Government have been used to exclude what is tendentious literature. Now, cinema films, if they are made in any particular country, are bound to reflect the culture of that country, the way of life of that Films made in country. U.S.A. will reflect the way of life of that country. Films made in the U.S.S.R. will reflect the way of life in that country. Similarly with regard to Italy or India, they may reflect their particular ways of life, and it is always possible to describe certain films as tendentious and exclude them from exhibition on various political grounds under the powers that are given in the Bill.

Government

[10-10-10-15 a.m.]

I am compelled to say this as we find that political considerations have operated in the field of literature, not in this State, but in the Centre. For example some of the modern Russian classics, those of Tolstoy and others, certainly reflect the social conditions of the people in their country but they do not make any political propaganda. The sale of these books are banned magazines like "Readers Digest", "Life and Time" are certainly tendentious in sense that they carry on political propaganda are sold publicly. That sort of discrimination is likely to happen for cinema films. I shall discuss this in detail when I come to various amendments. I think, therefore, Sir, that there should be circulation of the Bill for eliciting public opinion. Other points have been dealt with by the previous speakers and I do not propose at this stage to go into them.

Sjkta. Anila Debi:

মাননীয় সভাপতি মহাশ্য, ্ৰীযুক্ত মণীন্দ্ৰনাথ চক্রবর্ত্তী এই বিল সার্কুলেসনএ দেবার যে মোসন

এনেছেন তা আমি সমর্থন করছি। সমর্থন কবছি এইজন্য যে এই বিল যেভাবে এখানে উপস্থিত করা হয়েছে তার মধ্য দিয়ে একটা পরিকার কিছ ধাবণা আমরা পাচিছ না। যদিও মাননীয় মুধ্য মন্ত্রীমহাশয় বলেছেন যে তিনি সিনেমা হাউসএ এবং পাবলিক এক্সিবিসনএর নিবাপস্তার জনা কতকগুলি রুলস করবার জন্য এই বিল উপস্থিত কবেছেন। অবশ্য এখানে তাঁর সেই কথা মেনে নিয়েও আমরা দেখতে পাচিছ যে রেণ্ডলেসন কথাটাকে ভেগলি ব্যবহার করা হয়েছে। এখানে এই রেগুলেটিং কথাটাকে তাঁর। কোন দিকে ব্যবহার কববেন সেই বিষয়ে যথেষ্ট সন্দেহের অবকাশ রয়েছে। এই বিল যেভাবে উপস্থিত কর। হয়েছে তাতে দেখতে পাচিছ যে কেন্দ্রীয় সরকাবের সেন্সর আইন থাকা সত্তেও বিভিন্ पक्षत (जना गाजिए)होरक गर्वमय कर्डप प्रध्या হচেছ রেগুলেটিংএব নাম কবে। নিরাপন্তার জন্য ष्ट्रना गामिए होति उत्रव यर्थको प्रिकार पर्धा হচেছ। সেই অধিকাৰ কিবকমভাবে তাঁর। ব্যবহাৰ কববেন সেটা আমরা অতীত অভিজ্ঞতা থেকে বুঝতে পাবছি এবং আশঙখাণ্ডিত হচিছ। আমবা মনে করি এই জেলা ম্যাজিংট্টে এমন কোন জিনিঘ সহজে অথবা খুব আনন্দের সঙ্গে অনুমতি দিতে বাজি হবেন না यात्र मधा नित्र जनगত भुष्ठात्वन পथ शाय। याधुनिक জগতে মানুষের আনন্দ, শিক্ষা ও প্রচাবে এই যে পুধান মাধ্যম, তাব উপর সবকাবেব আমলাতান্ত্রিক পুভুষ কায়েম করবাব একটা মূল কথাই এই বিলের মধ্যে রয়েছে।

Bills

অতীতে বেতারের মারফং জনমত প্রচার করার जगारे विভावक वावशांत्र कता शत वला श्याहिन, কিন্তু শেখানে যে রকমভাবে যে **শেও**িকে আর इस. রেগুলেট করা হয়, তাতে সরকারেব নিজস্ব পছক্ষমত জিনিঘই বেতারেব মারফত প্রচাব কর। হয়ে থাকে, জনমত নয়।

আর একটা জিনিঘ আমবা দেখতে পাচিছ যে উপবেও নানা রকমভাবে এব্যিবিসনএর রেষ্ট্রাক্সন ইমপোজ করবাব কণা বলা হয়েছে, তাব মধ্যে দেখা যাচেছ এনং কুজএব ২নং ধানায় যেখানে পরিচ্চার করে বলা হয়েছে-

"The State Government, if considers necessary to do so, make an order for regulating exhibitions, other than public exhibitions, and prescribe rules and conditions for the purpose."

[Sjkta. Anila Devi.]

[10-15—10-20 a.m.]

এই কথা থেকে বোঝা যাচেছ যে, যেখনে পাবলিক এক্সিবিসন ছাড়া অর্থাৎ পয়সা না নিয়ে যেসৰ ছবি দেখান হবে, সেখানেও এই আইন প্রযোজ্য হতে পারে। তাহলে এখানে বলা যায় কনসিডার্ড ওপিনিয়নকেও সঙ্কচিত করার যথেম্ট সম্ভাবনা আছে। আমরা জানি গত বৎসর ইউ, এন ও সেমিনারএর দিল্লীতে যে অধিবেশন হয়েছিল সেখানে তাঁরা অভিও-ভিস্কুয়াল এড়কেসনএর কথা সমর্থন করেছিলেন এবং আধুনিক শিক্ষা জগতেও অডিও-ভিস্কুয়াল এডকেসনকে সর্বোচচ স্থান দেওয়া হয়েছে। আমবা মনে কবি এইরকম করে ১৬ মিলিমিটব প্রজেক্টএর মাধ্যমে শিকা বিষয়ক প্রদর্শনীও ঐ সবকারী কর্মচারীদের অনুমতি সাপেক হওযায, এই ম্যাক্ট শিক্ষাগত প্রচাবে বাধা স্মষ্টি করবে। ঐ অনুমতির ঝামেলার জ্বন্য ও হয়রাণির জন্য কেউ এর মধ্যে যেতে প্রস্তুত হবেন না। এখানে মিউজিয়মএ এপ টু য়্যাটম বন্ধ বিশ্বের ইতিহাস যা প্রদর্শন করা হচেছ তা যদি কেউ পয়সা খরচ কবে গেই প্রদশনীর ছবি তুলে গ্রাম অঞ্চলে দেখানৰ বন্দোবস্ত করেন আহলে তাঁকে প্রত্যেক অঞ্চলের জন্য সবকারী অনুমতির অপেক্ষা করতে হবে, এবং এই অনুমতি লাভের জন্য যে ঝামেলা গহ্য করতে হবে তাতে তাঁব উৎসাহ নির্বাপিত হতে বাধ্য হবে। আমাদের বৃদ্ধদেব বস্থু মান্য সবোব্রের যে সমস্ত ছবি ত্লে নিয়ে এসেছেন, সেই ধরণের ছবি বা সমস্ত শিক্ষামূলক চবি যদি শিক্ষা পুচারেব জন্য প্রদর্শনের ব্যবস্থা করা হয়, তাহলেও সরকারের এই বেগুলেনিং আইনেব মাধ্যমে তাঁকে হয়রাণ হতে হবে। স্থতবাং এই যে আইন প্রযোজ্য করতে যাচেছন, এই আইন সম্বন্ধে সাধাবণের স্কুম্পষ্ট বন্ধব্য থাকা দরকার আছে বলে আমি মনে করি। আর একটা কথা, এই বিল যখন বিধান সভায় আলোচনা হচিছল তখন বিরোধীপক্ষের সমালোচনার উন্তবে আমাদের প্রধান মন্ত্রীমহাশয় যে কথা বলেছিলেন তাতে একটা কিন্তু থেকে গিয়েছে যার ফলে আমাদের সন্দেহ আবে। যনীভূত হচেছ। যদিও তিনি বলেছেন যে কোনরকম গণভান্তিক মতবাদ কিন্বা পগতিশীল মতবাদ তিনি বন্ধ করতে চান না এবং ভারজন্য এ বিল আনেন নি "কিছ" যদি পুচারের মাধ্যমে শান্তি ব্যাহত হয় কিছা বিশ্ঙৰলা দেখা দেয় তাহলে তিনি এটা ব্যবহার করবেন। অতীতের অভিজ্ঞতা থেকে আমরা ভানি এই তথাকথিত শান্তি শঙ্খলার নামে যাতে গণতাম্বিক জনমত যথাযথোভাবে প্রচারিত হতে না পারে সেদিকে সরকারের খরদৃষ্টি থাকে

এবং সেই একই উদ্দেশেই এই বিল আনা হয়েছে।
তাই যদি না হয় তাহলে এই যে প্রস্তান-"জনসাধারণের মতামত সংগ্রহের জন্য এই বিল
পুচার করা হক," এটা সরকার গ্রহণ করছেন না
কেন የ

[10-20-10-25 a.m.]

Janab Abdul Halim:

নিঃ চেয়ারম্যান, স্যার, ডাঃ চক্রবর্তীর সার্কলেশন মোশনের সমর্থনে আমি কয়েকটা কণা বলব। माननीय मशुमधीमशानय तत्तर्छन, तित्त्रत উদ্দেশ্য এবং কারণ হচেছ ১৯১৮ সালের সিনেমেটোগাক এ্যাক্টে যে প্রভিশন আছে সেগুলি পবিবর্ত্তন করে शुप्तभी ७ शित्मात वाशित बारेरान्य नियम् করবেন। বিলেব আসল উদ্দেশ্য কি তা এই বিলেব ভিতর থেকে স্পষ্ট না বোঝা গেলেও ধবা যায় যে বিলের পিছনে কি উদ্দেশ্য বযেছে। কুজ গিরো বলা হযেছে যে যে সমস্ত ফিলম দেশের শান্তির বিগ করবে সে সমস্ত ফিলম বন্ধ কবা হবে। এই থেকেট বোঝা যায় এব উদ্দেশ্যটা। গিনেমা পিকচাব আজকে শিক্ষার একটা বাহন। সিনেমাব দাবা শিক্ষাব ও শংস্কৃতির প্রচাব ও প্রাব হয় কিন্তু বিলেব **উদ্দে**শ্য যদি এই হয় যে প্রোগ্রেসিভ ফিলম--গণতাপ্ত্রিক দেশের य गर किनम--- याष्ट्र रमधित नक्षरात (मा। इत তাহলে দেশের শিক্ষা ও সংস্কৃতির পক্ষে ক্ষতির। इत् ।

এখন কিভাবে এপুলি নিয়ন্ত্রিত হবে সেন্সর বোর্ড যে রয়েছে তালাই তা ঠিক কববে। কিন্তু **অনেক সম**যই তা হয় না। দেখা নায় যে সমস্ত ফিলম সেন্সর বোর্ড পাশ কবে দেয় তা যে সবই ভাল তা নয়। ববং দেখা গেছে অনেক আপত্তিকব ফিলম তারা পাশ কবে দিয়েছে। এড়কেশনেব পিপলস এডকেশন সেণ্টার খেকে ১৬ মি: মি: ফিলম যেগুলো দেখানো হয সেগুলো পুলিশ সিজ কবেছে এবং এডকেশনাল সেণ্টাবের আফিল তলালী কবে লে ফিলমেন পচার বন্ধ করেছে। কিন্তু মার্ভাবাস, ও সেনসেসানাল ফিলম যেগুলি আছে **শেগুলি বাজারে বেশ** চলছে। আমি সংক্ষেপে বলতে চাই, যে সমস্ত ফিলম এদেশে তৈরী হয় যেমন নীলদর্পণের মতন ফিলম, বিদ্যাসাগর মহাশ্যেব জীবনী ও বাঁশের কেল্লাব মতন ফিলম সেগুলি বাজারে বেশী চলে না. অথচ সেনসেসানাল ও মার্ভারাস ফিলম যেওলি, সেওলি বাজারে খুব চলে।

সবচেয়ে বড় কথা হচেছ, ভিষ্টীক্ট ম্যাজিট্রেট ও পুলিশ অফিসারের হাতে সর্বময় ক্ষমতা দেওয়া হচেছ,

Rille

হাতে এই সর্বময় ক্ষমতা দেওয়া উচিৎ নয়।
এডুকেশনাল, শিকা বিভাগের কর্ম্মকন্তাদের মাধ্যমে
ও তাঁদের পরামর্শ গ্রহণ কবে তাঁদেব সঙ্গে সহযোগিতা
কবে এই ফিলম নিয়ন্ত্রন কবা উচিত। অবশ্য আমি
ধার্ড বিভিংএর সময় অন্যান্য ব্যাপাব সম্পর্কে বলব,
এখানে আছ এই কনি কথা মাত্র বলাম।

Mr. Chairman: I would like to draw the attention of the honourable members to this particular point. There seems to be a certain amount of straying from the scope of the Bill. This Bill does not relate to the certification of films as proper ones for exhibition—that is for the Film Censor Board constituted under the Central Act. This Bill relates to the licensing of show houses—selection of site, safety arrangements, accommodation, etc. Section 6 authorises the authorities to prohibit the exhibition of any film only if there is the risk of a breach of the peace and not on the ground that the film is an improper one. Section 5(3) authorises the Government to require that certain class of films must be shown, e.g., educational film or news films. So members whenever they speak would only confine themselves to the subjects mentioned in the Bill and that would considerably help the conducting of the business in this House.

[10-25-10-30 a.m.]

Sj. Satya Priya Roy:

মাননীয় অধ্যক্ষ মহাশয়, এই বিল জনমত সংগ্রহেব জন্য প্রেরণ কবা হোক, এই সংশোধনী প্রভাব আমি সমর্থন কবছি, শিক্ষাবিদ হিসাবে। শিক্ষা জগতে "অভিও-ভিস্কুয়াল"এর কথা সকলেই বলে থাকেন। সে সম্পর্কে কোন কিছু ব্যবস্থা সরকারপক্ষ থেকে করা হচেছ না, কিন্তু এই আইন যদি বিধিবদ্ধ হয় তাহলে জনসাধারণের প্রচেষ্টায় যেটুকু "অভিও-ভিস্কুয়ালেব এইড" ছাত্রদেব দিতে পাবা যাচেছ সেটাও বন্ধ হযে যাবে। বাস্তবিক, শিক্ষক হিসাবে আমি বলতে পারি ছাত্রদের ভালভাবে যদি চলচ্চিত্র দেখাতে হয় এবং সেটা কিভাবে আমবা দেখাচিছ তা যদি সংশ্রিষ্ট মন্ত্রীমহাশ্য জানতেন

তাহলে আইননির দোম বা ক্রাটর কথা তিনি ভালভাবেই বঝতে পারতেন। এখানে, এই কলকাতা সহবে প্রজেক্টর ভাড। দেবাধ লোক আছে কাছ থেকে ১৫, ১০, বা ২৫১ টাকার পঞ্জেক্টর ভাড। নিয়ে আসা হয় তাছাড়া মেটোগোলেডনমেয়ৰ পুভতি চলচ্চিত্র থেকে ভাল ভাল ঐতিহাসিক ঘটনার এবং ভাল গাহিত্যেব কোন কোন ছবিব ১৬ মিঃ মিঃ क्लिम ভाड़ा करन निरंग এरंग ऋत्न, करनरङ गुनिरंग ঘুবিয়ে সে সব চলচিচত্র দেখান হয়। এখন এই আইনেৰ আওতায় এনে গুণ যে পাৰ্বল্ক একজিবিশন या श्रयमा निर्य प्रशासना इय, छोटे निराधन कन्रतन ग्य. (यथारन अयमा नित्य (प्रश्वारमा इत्व मा. সেধানেও নিয়ন্ত্রন কবা হবে, ভাহলে, এই ধারাব মধ্যে বিশ্যালযগুলিও এসে যাবে। এবং তাবপরেই আসবে সিনেমাটোগ্রাক মেশিন যাল ভাচা দেয় তাবা, হুতবাং তাবা আৰু ঐ মেশিন ভাষ্টা দিবে না। কাৰণ যাবা ভাডা দিবে তাদেব শাস্তি গ্রহণ কবতে হবে। এব ফলে প্রজেক্টব বা গিনেমানৌথাফ विभागविक्षित्र अल्क याव छोडा त्या मध्य इत गा। স্বকাবপক্ষ থেকেই বিদ্যালয়ে বিদ্যালয়ের ছাত্রদের অভিও-ভিমুখালেৰ এইড দে বাব বন্দোৰস্ত কৰা উচিত ছিল, সেটা ত সরকার করবেনই না, বনং বিদ্যালযের শিক্ষক বা উৎসাহী অভিভাবকদেব নিজেদেব চেষ্টাব ফলে আছ অভিও-ভিম্নগাল বা বাছাই বাছাই চলচ্চিত্ৰ চাত্রদেব শিক্ষার জন্য শেখাতে যাব। সহযোগিতা কবছেন, যথা, যাঁবা প্রেক্টব ভাছা দেন বা যাঁবা কিন্দ্ৰ নিৰ্মাণ কৰেন, ভাঁনা যতটা সহযোগিতা কৰে আসতেন তা সম্পূদ বন্ধ হয়ে যাবে।

ষিতীয়তঃ যে পু।ইভেট একজিবিশনগুনিতে প্ৰযা না নেযা হবে অপতঃ এডুকেশনাল ইনষ্টিটিশন সগজে যদি একটা ব্যবহা না থাকে তাহলে শেঘকালে এই হবে, সৰকাবেৰ ইচ্চা থাক বা না থাক, স্কুলেব শিক্ষকরা যে সৰ চলচিচত্র দেখান সেগুনি বন্ধ হয়ে যাবে।

Sj. Mohitosh Rai Chaudhuri: কোধায় আছে দেখান—পারমিশন নেয়াট কম্পালসারি ?

Sj. Satya Priya Roy:

সিনেমাটোগ্রাফ মেশিন এনন জায়গায় দেখানো হবে, তাৰজন্য জবিমানা এবং শান্তিব ব্যবস্থা এখানে করা হয়েছে।

Sj. Mohitosh Rai Chaudhuri: পারমিশন নিতে হবে – কোপাদ আছে।

Sj. Satya Priya Roy:

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পারমিশন নিতে হবে না, কিন্ত যে জায়গায় এই নিয়মগুলি পালন করা হবে না সে জায়গায় যদি মেশিন পাঠায় তাহলে দগুনীয় হবে।

Sj. Mohitosh Rai Chaudhuri: দঙনীয় হবে একপা কোধায় আছে।

Sj. Satya Priya Roy:

কুজ ৭টা পড়ে দেপুন, তাহলে বুঝবেন। আমি পডছি—

"If the owner or person in charge of a cinematograph uses the same or allows it to be used for giving an exhibition, or if the owner or occupier of any place permits that place to be used, in contravention of the provisions of this Act or of the rules made thereunder, or of the conditions and restrictions upon or subject to which any licence has been granted under this Act, he shall be punishable with fine which extend to one thousand rupees and, in the case of a continuing offence, with a further fine which may extend to one hundred rupees for each day during which the offence continues."

The Hon'ble Dr. Bidhan Chandra Roy: We are not talking of the clauses of the Bill. We are discussing the general principles.

Sj. Satya Priya Roy:

সার্কুলেশন মোশনের উপরই আমি বলছি, স্যার।
এই বিলে যে সব কুজ যেভাবে আছে, তাই যদি
গ্রহণ করা হয় তাহলে শিক্ষার দিকে ক্ষতিকর হবে।
সেইজন্য শিক্ষক ও শিক্ষাবিদ হিসাবে এই বিলেব
মূলনীতি সহয়ে আপত্তি করছি। এটা যদি পার্বিক
একজিবিশনে লিমিন্টেড থাকত তাহলে আপত্তি থাকত
না।

তারপর আমাদেব মাননীয় ও শুদ্ধেয় জনুদাপুসাদ চৌধুবী মহাশ্য যে বলেছেন যে প্রাপ্তব্যস্কদের জন্য যোবানে, সেধানে অপ্রাপ্তব্যস্কদের জন্য এই কথা যদি লেগা থাকে তাহলে অপ্রাপ্তব্যস্ক যাবা তাবা আরো বেশী যাবে। কাবণ নিদিদ্ধ স্থানে গমনের ও নিদিদ্ধ ফল ভক্ষণের পুতি মানুষ মাত্রেবই একটা স্বাভাবিক আকর্ষণ রয়েছে। কিন্তু দুংগের বিষয় বাস্তবিক যেসব ভাল ফিলম দেখে যাতে ছাত্ররা শিক্ষা এবং আনক্ষণ একই সঙ্গেল লাভ করতে পারে সেদিক থেকে

সরকারপক্ষ কিছুই করছেন না, আর সে জায়গায় শিক্ষকের। সাধারণ লোকের কাছ থেকে প্রজেজন ভাড়া নিমে চলচিচত্র দেখানর যে ব্যবস্থা করছেন সে ব্যবস্থা পর্যন্তও বিপর্যন্ত হয়ে যাবে। আমবা যে সামান্য ব্যবস্থা করে আসছি, নিজেদের পুচেষ্টার সেটা বন্ধ হয়ে যাবে। কাজেই মূলনীতি হিসাবে আমি এটার বিরুক্ষতা করিছ। এবং জনমত সংগ্রহেব জন্য এই বিল পাঠানো হোক, এই পুভাব সমর্থন করিছ।

[10-30—10-35 a.m.]

Nirmal Chandra Sj. charyya: Mr. Chairman, Sir, it is very often claimed on behalf of the Government that it is a socalled welfare Government. I am surprised to know that a Bill embodying some of the provisions, though not all, of this Bill were not presented to the House before the Cinematograph Act, 1952, came to be placed on the Statute Book two years ago. I thought that soon after that Act was placed on the Statute Book the Government of West Bengal would come forward with some measure calculated to heal the pestering sores in the system of entertainment in country. I am referring to the very dangerous, tendentious and sexy films which are being imported into this country and being exhibited by the different show houses.

Mr. Chairman: That does not relate to this Bill.

Sj. Nirmal Chandra Bhattacharyya: Sir, this Bill contemplates the control of public exhibition of films and public exhibitions may be banned by the Government. But some films are being publicly exhibited today which should not be placed before the public at all. I mean the American films, crime films and sexy films. Therefore, my argument is perfectly in order. I have thought that the Government would be more active in controlling these American films and crime but have not done so. It is not too late to do so-"better late than never". I welcome this Bill but l also notice that there are certain

provisions of the Bill which may in fact be misused by Government. Under section 3(2) of the Act, for example, the Government authorised to control exhibitions other than public exhibitions also in any place. The definition of the term "place" is fairly inclusive. It includes houses, buildings, tenfs, enclosures, open space of any description, transport—whether land, water or air. It is quite possible that in a place open for public exhibition a film which is endanger communal likely to hatred or racial hatred or a film which has pornographic tendency may be exhibited. It is necessary that such films should be controlled but it is also just possible that the heensing authority will take it into its head to control exhibition of films which show progress taking place in some countries of the world. It is quite possible that the licensing authority $_{
m in}$ enthusiasm to satisfy the present reactionary Government may exhibition of films showing agricultural development in the Peoples Republic of China or the industrial development in Russia. Things like these may happen. It is for these reasons that a certain amount of apprehension has been raised in the mind of the public.

[10-35—10-40 a.m.]

In view of these apprehensions, 1 think Sir, it is necessary circulate the Bill for the purpose of eliciting public opinion.

Sir, in this connection I would ike to reter to the principle embodied in section 9 of the Bill. Under section 9, the Government s empowered to make rules. I do not object to the rule-making ower of the Government. But I tope that the Government, he rules, will ensure that the icensing authority, in the matter of issuing orders, will be guided by the advice that is given to him ov an Advisory Board, and I hope hat under section 9 some kind of Advisory Board will be set up. Apparently, the Bill appears to be

harmless but a reactionary Government may employ the powers given to them under this Bill in such a manner as to ban all progressive films. It is here that we have certain doubts, and I believe the Government will do its best to remove those doubts from the minds of the public. It is for this reason I think that the case is a strong one.

Billa

With these words, Sir, I move my amendment for circulation and I hope it will be accepted.

The Hon'ble Dr. Bidhan Chandra Professor Bhattacharyya while making his observations has talked of reactionary Government. Does he not know that under the Constitution, he has power to remove the reactionary Government? But the point today we are discussing is shall we have any rules or shall we not have any rules so far as the control of the cinema exhibition is concerned. Sir, my friend Shri Annada Prosad Choudhuri raised two very important issues with both of which I should agree. As I said before the Central Act has got four chapters of which Part I and Part II are applicable to the whole of India. It is only Part III which they had prescribed for Part C States. which we are modifying under the present Bill. In Part II, there is a particular provision which says that if the Board after examination consider that the film is suitable for unrestricted public exhibition or that it is suitable for exhibition only to adults, they shall bear the mark, with the certification of the film, as U or A. My friend Shri Annada Prosad Choudhuri complained, although it is there, that though the film is marked U or A, no action was taken, and that he was told by the Home Secretary that action was not taken. I could not understand how the Home have said Secretary could that. Because, under the said chapter under section 7, the penalties are mentioned for contravention-if there is a film which is certified U or A and the children

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The Hon'ble Dr. Bidhan Chandra Roy.]

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admitted, it is essential that this Government—because this part of the Act is an all-India Act, and applicable to Bengal—should take action. But there is another clause which my friend Shri Annada Prosad Choudhuri referred and which I think is very pertinent improvement of the classes of exhibitions, namely, exhibitions which should not be exhibited at all at least in a State like Bengal. I mentioned in the Assembly that one of the accused persons in a gun duel had admitted that he had learnt it from a cinema film. Professor Bhattacharyya has plained of the delay. The delay is apparently caused by the fact that I was not quite clear as to what extent we could take action regard to films which have been admitted by the Film Censor, but which we in this State feel that they should not be exhibited at all not merely because it is marked A or U but also because considering our present state of culture and social outlook, they should not be exhibited.

[10-40—10-45 a.m.]

Therefore, we have after deal of consideration taken power under section 5(3) that the State Government may, although a particular film has been approved by the Film Censor Board, give directions to a licensee as to the type of film that we have to show. friend Sj. Bhattacharyya and other friends also think that we are trying to stop private film showing and naturally the apprehension is that the showing of private film may be banned such as by the Indo-Chinese Delegation or by the what-Indo-Russian Delegation, ever it is. Now, the only provision there is—and I wish a great Professor like Sj. Bhattacharyya will look into things before he comments on them—that the State Government may, if it considers necessary to do so, make an order for regulating exhibitions other than public exhibition and prescribe rules and conditions for the purpose. It is not a prohibition. It is only making rules, and so long as no exhibitor violates these rules, there is no reason why he should think that his exhibition of film should be stopped. My friend representing the A.B.T.A. spoke of the stopping of the 16 m.m. films in the schools and colleges, not a but of it. Rules have been laid down under what conditions licenses are to be given. Now, if a person or a school or a college were exhibit some film without taking a licence, certainly he comes under the provisions of the Act. No honest man will say "I shall not abide by the rules of the realm", if he thinks that he is caught Sir, rules are prescribed for giving licences and we have given a great deal of thought in the matter in order to regulate the exhibition. and apart from the technical part of regulation providing for ventilation, fire protection and so on, we have considered the psychological point of view so far as possible in the exhibition of filmwhich has been accepted by the Film Censor Board and this is the result. I do not think they have seen the old Act under which we are operating. What will be the effect, Sir, if this Bill is circulated for eliciting public opinion? then the Central Government will issue directions from time to time according to the present Act to licensees in general and some licensees in particular regarding some classes of films. Now, why should I depend upon the Central Government to control exhibition of films in the State? Therefore. sooner the State Bill is passed the better for us.

The motion of Dr. Monindra Mohan Chakrabarty that the Bill be circulated for the purpose of eliciting opinion thereon by the 15th December, 1954, was then put and lost.

Mr. Chairman: The other two amendments fall through.

The motion of the Hon'ble Dr. Bidhan Chandra Roy that the West Bengal Cinemas (Regulation) Bill, 1954, as passed by the Assembly, be taken into consideration, was then put and agreed to.

Clauses 1 and 2.

The question that clauses 1 and 2 do stand part of the Bill was then put and agreed to.

[10-45—10-50 a.m.]

Clause 3.

Sj. K. P. Chattopadhyay: Sir, I beg to move that sub-clause (2) of clause 3 be omitted.

I have already stated in my general speech that I would reserve details for every clause as I move it. Some of the objections raised to the operation of this clause have already been stated by my friends on this side of the House. There are other objections, Sir. You are aware that cinema films, 16 mm. and 8 mm, are sold and available in the market-machines are also available for taking photographs. Many private persons take photographs of journeys and other descriptive material. Again, as Shri Satva Priva Roy and others have pointed out, educational films are shown in private shows in educational institutions and also in other organisations. What is the idea of having a set of rules for these? If it is simply said that proper precaucions should be taken about fire and this and that, that is a different thing altogether.

The Hon'ble Dr. Bidhan Chandra Roy: That is also included.

8j. K. P. Chattopadhyay: Yes, but generally these are shown in halls or open grounds.

The Hon'ble Dr. Bidhan Chandra Roy: Schools, colleges, melas, and so on.

8j. K. P. Chattopadhyay: We have films in our colleges and Universities, and we show tribal films. Films like that which have nothing to do with politics probably will not come under fire. But there may be other objections, and we

know that under British rule had a law that even private letters written to members of the family could be scrutinised by the Special Branch and drastic action taken. There was the classic case of a young man, newly married, writing to his wife how people should live and die, and he had made a drawing of a pistol in that letter; for that he was sent to jail for months. That kind of thing we don't want for film hows private. It is certainly on paper a very innocuous looking rule, but it is in the operative part of it that the trouble arises; and who will be the people who will operate it? It is the police who will operate it and we know how-

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The Hon'ble Dr. Bidhan Chandra Roy: It is only the rule-making power. Rules can be objected to.

sj. k. P. Chattopadhyay: You will make the rules, and the police will operate them, and we shall know what the effect of that will be. That is why we object to it. Nothing more. I think, Sir, it is an interference with the rights of private individuals like that to read books—it is something like reading books for private studies—it is private audio-visual education—and you are going to control that.

Sj. Bijoy Singh Nahar: That is what we are learning from you.

Sj. K. P. Chattopadhyay: I don't belong to any political party. I am an independent member of this House, and your knowledge is about as accurate as the statement you have just made.

[10-50-10-55 a.m.]

Sj. Satya Priya Roy:

মাননীয় সভাপতিমহাশয়! মাননীয় মৃথ্য সন্ত্রীমহাশয়,
আমি যে পুশু তুলেছি এবং তার জবাবে যে উত্তর
দিয়েছেন তাতে আশঙ্কা আরও গভীবতর হচেছ।
মনে হচেছ সারা পশ্চিম বাংলার ১,৩০০ মাধ্যমিক
বিদ্যালয়কে চলচিচত্র বা প্রেক্ষাগৃহে পবিণত হতে
হবে, এবং চলচিচত্র বা প্রেক্ষাগৃহকে যেমন লাইসেন্স
নিতে হয় এই ১৩।১৪শ বিদ্যালয়কেও তেমনি

[Sj. Satya Priya Roy.]
पाल (अरक नारंत्रिक निष्ठ वर । मूनामधीमधानराव प्रवर्गाण्य कर्मा वन्छि (य अर्थे 58म विमानित्य अरक र्थां कर्मा वन्छि (य अर्थे 58म विमानित्य अरक र्थां कर्मा वन्छि (य अर्थे 58म विमानित्य अरक र्थां कर्मा कर्मा वर्मा कर्मा वर्मा वर्मा

The Hon'ble Dr. Bidhan Chandra Roy: May I point out that there is not question of granting licenses to schools?

Sj. Satya Priya Roy: Rules lay down something about regulating. আমি যে কথা বলছি, আমাদের এই বাংলা দেশে ১৩।১৪ শত যে স্কল আছে এবং যেখানে মাঝে মাঝে এইরকম শিক্ষাসলক এবং আনন্দদায়ক ফিল দেখানব বন্দোবস্ত করা হয় সেটা বন্ধ করবার উদ্দেশ্যই এৰ মধ্যে আছে। মাননীয় ক্ষিতীশ বাব যে সংশোধনী প্রস্তাব এনেছেন সেটা আমি সমর্থন করছি এবং এই যে রেণ্ডলেটিং পাবলিক এক্সিবিসন-এর নামে লিটাবাবি কুাব ও কালচাবাল কুাব এবং স্কুলগুলিতে যে সমস্ত চলচিচত্রের ব্যবস্থা করা হয় তাতে যদি হস্তক্ষেপ কবা হয় তাহলে এই সংস্কৃতি ও শিক্ষাকেই টটি চেপে মারবার পুচেষ্টাই এব মধ্যে রয়েছে বলে আমি মনে করি। সেইজন্য শিক্ষক हिमार्त यामि वन्ता य गः माधनी शुस्तान्छ। शुरुन कदत (नरवन।

Sj. Nirmal Chandra Bhatta-charyya: Sir, I am afraid I would have to repeat in part what I said in supporting the amendment of Dr. Chakrabarty. I feel that the powers given to the licensing authority under section 3(2) may be necessary for certain purposes.

The Hon'ble Dr. Bidhan Chandra Roy: In section 3(2) there is no question of the licensing authority. The State Government will make rules.

Sj. Nirmal Chandra Bhattacharyya: The explanation of the Chief Minister makes the import

of the sub-clause 3(2) much worse. The State Government may be entrusted with the exercise of the powers given to it under section 3(2) for certain purposes, e.g., there may be a private exhibition of films on anti-cow slaughter movement. That film might lead to communal hatred. Government would then be absolutely justified in banning such a film—there may be a film of pornographic nature comparable to the sexy films which are imported in our country from America. With regard to that also State Government will justified in exercising its powers. But in other cases the State Government is likely to be biased by I do not political consideration. blame this Government in parti-Everybody knows character of this Government. is just possible that a particular State Government may be influenced by political consideration to ban any film which is not likely to their ideology. What support would happen then? Therefore, I say that some kind of protection is necessary. That protection may in fact come up in connection with section 3 and I expect a kind of undertaking from the Government to the effect that under rule 9 such regulations will be framed by which the State Government would act in accordance with the advice tendered to it in this behalf by an advisory committee composed of independent persons including men of literature and teachers of the University. Sir, unless we have that there will be no guarantee that the State Government would not exceed its proper powers equitable powers—and put a ban on the exhibition of films which were really meant for the spread of democratic ideas in the country.

[10-55—11 a.m.]

Sj. Mohitosh Rai Choudhuri: Mr. President, my task has been considerably lightened by what has fallen from the lips of my esteem friend Professor Nirmal Chandra Bhattacharyya. I listened to his speech very carefully. I

think he has made out an unanswerable case for the retention of this clause, and not its deletion. He has admitted that in many cases the State Government ought to have such power of regulation of objectionable films even if exliibited in private houses or in schools and colleges. Sir, my friend Mr. Annada Prosad Choudhuri has spoken on the Bill very sensibly and with the majority of what he has said I fully agree. He has also made out a case for the control and regulation of films. Objectionable films may be exhibited either in public or in private. In educational institutions also objectionable films may be shown. What should be the remedy? It the State Government is left with no power to interfere with the exhibition of such objectionable films in schools and colleges, the result would be disastrous. body, Sir, wants that educational films should be banned. As a matter of fact, I for one insist that educational films ought to form a substantial part of the programme in every cinema and my complaint is that that is not done. So, if the Government had any intention to prohibit or to ban exhibition of educational films, no man in senses, no educationist worth his salt will have anything but severest condemnation for such Government. If I find that this State Government at any time betrays any desire to prohibit such educational films, I will accuse them of the most inexcusable act of interference with the development of education in the State and I will condemn them in terms much more severe than those used by my triends there. But where is it-I do not find any one. The State Government will only control by making rules. Unless they make rules for the control of these objectionable films in schools and colleges, I say again, the result will be disastrous. Therefore, I say, echoing the sentiments expressed by my friend Professor Nirmal Chandra Bhattacharyya, that this power of control should be retained in the hands of Government. If

the Government acts arbitrarily against the interest of the country, we shall try to remove the Government. I think there is no substance in the argument for the omission of the clause.

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The motion of Sj. K. P. Chattopadhyay that sub-clause (2) of clause 3 be omitted, was then put and lost.

The question—that clouse 3—do stand part of the Bill was then put and agreed to.

Clause 4.

The question that clause 4 do stand part of the Bill was then put and agreed to.

Clause 5.

Sj. K. P. Chattopadhyay: Sir, I beg to move that in clause 5(2), lines 5 to 8, the words beginning with "and the terms" and ending with "may determine" be omitted.

I also beg to move that in clause 5(4)(a), for the items (i), (ii) and (iii), the following be substituted, namely:—

"to a Board of Cinema Regulation to be set up by the Government of West Bengal consisting of four nonofficials to be selected from eminent literary men and from Directors of Films, two officials, and two representatives of the Legislative Assembly."

I further beg to move that in clause 5(4)(h), line 1, for the words "State Sovernment", the words "Board of Cinema Regulation" be substituted.

Sir, in clause 5(4), I wanted to move these amendments because power is given for regulation of shows and of the class of film to be shown, etc. These have all been stated in the clauses and all these powers are given to the District Magistrate, and thereafter to the Commissioner of the Division.

[Sj. K. P. Chattopadhyay.] [11—11-5 a.m.]

In Calcutta, it is the Commissioner of Police. Now, it is difficult for these officials to be good judges of the kind of films that should be shown to the public for educational and other purposes which are stated very clearly in the Act. That is why I have suggested that "a Board of Cinema Regulation to be set up by the Government of West Bengal consisting of four non-officials to be selected eminent literary men and from Directors of Films, two officials, and two representatives of the Legislative Assembly". The representatives of the Legislative Assembly will also be Government representatives for they have an overwhelming majority there. So there is no question of inadequate official representation (Sj. Bijan-BIHARI BHATTACHARYA: Why not take some from the Council also?) Ask the Chief Minister. Now, Sir, some well-known literary men are already connected with the film industry, in the sense that some of their films have already been shown. Sj. Tarasankar Banerjee is one of them and there are others. Sj. Premendra Mitra is a story writer as well as a Director. We have Sj. Monoj Basu's ''ভূলি নাই''। We have a fair number of eminent literary men who have shown their taste and literary calibre and it will not be difficult to make a selection from among them. The reason why they should be there is that police view and the executive view are likely to be narrow. The police deals with a particular type of work, namely, they deal with thieves, cut-throats, pickpockets and their view is, therefore, likely to be coloured thereby. They have a sort of bias. The police are accustomed to watch carefully any political activity against Government and they are not likely to listen to criticism—of Government with favour as the Chief Minister or the Cabinet will do. It is like the proverb "বাঁশের চেমে কঞ্চি বড" ৷ If you ask them to bring a man, they will

bind him and bring him in a cage before you. That is the position. Hence if you give power like this to the executive officials, there will be trouble. Moreover, who will judge whether a film is good or bad? Sir, questions have been raised by Sj. Annada Prosad Choudhuri regarding the desirability of showing certain kinds of films whether there should be any restriction for any film. It is impossible to restrict a film and moreover that does not come within the operation of this Act, although indirectly Government does want to regulate it to some extent. What I fear is this that under the provisions of this Act the local officials, if they have the full power, are likely to ban films saying that they are not of the class that are to be shown on a very wrong basis, mainly on political grounds.

[11-5-11-10 a.m.]

They do not take any objection to films which may have sex appeal or make subtle propaganda about the justifiability of, or good side of, for instance, the slavery of Negroes formerly in the U.S.A. For slavery the examples are "Gone with the Wind" and "Foxes of Harrow." There are films for clever propaganda against labour organisations and immigrants such as the "Valley of Decision". Then there are films in which sex appeals and blood and thunder appeals are made to draw the people. You are not going to regulate such things. But unfortunately we find that a film of the type "Bhuli Nai" was discriminated against. We know that when political considerations arise, even other types of films may be discriminated. Under British rule the film "Orphans of the Storm" which depicted the French Revolution was banned, though it was popular. At the present moment we have films from other countries, and Italian films in the international field have come to the fore, and they are making firstrate films such as "Open City", "Miracles of Milan", "Road to

[11-10—11-15 a.m.]

Si. Annada Prosad Choudhuri:

স্যার, এই ধাবার এনং উপ-ধাবায় আছে যে যদি কোন চিত্রে কিছু আপত্তিকর পাওয়। যায় তাহলে ষ্টেট গভর্ণমেণ্ট

"from time to time make an order for regulating exhibitions."

কিন্তু এ বেগুলেট কবাব কথা যে আছে এর মধ্যে কোন জামগায বিশেষ কবে লেখা আছে ফিলা পুডিউসড ेन ইণ্ডিয়া, তাতে কোন বিদেশী ফিলোর কথা উল্লেখ নাই। বিদেশ থেকে যে সমস্ত ছবি আসে াতে আপত্তিকর খাৰি জানি একটা ইটালিয়ান ছবি "টোরিজ অফ (भगानिना " पामारमत এখारन रियोरना इराइ हिन। এখানকাব বিজ্ঞিওনাল বোর্ড সোটাকে ৩ বার রিজেক্ট করেন, এটা আমবা দেখালধোগ্য মনে কবি না, এখানে গেটা সামাজিক জীলনের পক্ষে ক্ষতিকর হবে; কি**ন্ত** ग্যার **শে-ট্রাল এা**ঈ অনুসারে সে-ট্রাল গভর্ণমেণ্ট (गरे इिंतोरक यामाएन गाउँ ठाशिय निर्वा । একন কি দুন মাত্র চিত্রগৃহে দেখানো হ্যেছিল, কোখাও বেশী দিন চলেনি। বাঙ্গালী বা অবাঙ্গালী কেউ সেটা পচছন্দ কবেনি। দু-ভিন দিনেব বেশী চলেনি, তা সত্ত্তেও আমাদের ঘাডে চাপানো হয়েছিল সেণ্ট্রাল বোর্ড অফ সেন্সার অন্সারে।

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চটোপাধাায মহাশয় বলেছেন নিদেশী সামাজিক চিত্রেব কখা ; প্রধানমন্ত্রীমহাশয় হয়ত উভবে বলতে পাবেন--এই যে লেখা আছে--

"of regulating exhibition of any film—

यि डिनि এव পূर्दि न। बटन पांतराउन (य,

"regulating the exhibition of any film.

এপানে এই "এনি" ফিলাটাকে বাদ দিয়ে যদি নাম করে पिट्न, এই "এनि" किन्। ना रत्न यपि,

"what classes of films and in particular the exhibition of films in India for educational purposes, films dealing with news and current events, educational films or films produced in India'

তাহলে বুঝতে পাৰতাম। তারপব এই ''এনি ফিলম⁹' বলতে যদি

"films produced in India"

হয় তাহলে

"produced $_{
m in}$ countries India''

এব মধ্য খেকে বাদ পড়ে যাচেছ। আমরা জানি বিদেশী চিত্রে বহু আপত্তিকর জিনিঘ থাকে যা यामार्टिन रिंदी रिश्रीन शक्छ वर्टन मरन किंद्र मा এটা যাতে বন্ধ হয় সে বিধান থাকা উচিত। এব মধ্যে যদি এটা স্পষ্ট করে বলেন তাহলে এটা বুঝতে পারি এবং এটা পরিঘকার হয়।

The Hon'ble Dr. Bidhan Chandra Roy: Sir, my friend Sj. K. P. Chattopadhyay is naturally cious although he says that he does not belong to any political party but he is suspicious on behalf of other poltical parties with whom he may have affiliations. This section has got two parts—clauses 2 and 3. Sub-section 2 is the part

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[The Hon'ble Dr. Bidhan Chandra Roy.]

which is operated by the licensing authority. The Central Board have issued a manual under which certain conditions are given for giving licenses, e.g., electric light, about smoking, what the machines will possess, supplies and use acetylene gas and so on. Under sub-section 2 it is intended that this provision should be included in the licenses when the licensing authority is issuing the licenses. If there is any objection to the decision or order of the licensing authority under section 4, sub-sections (a) and (b), there is a question of appeal against that but with sub-section (3) it is entirely a different matter. It is not the licensing authority which is mentioned but it is the State Governwith entirely agree ment. I Annada Babu that we have the power not to allow exhibition of films coming from outside which goes contrary to our social condi-We have not done it tion. because the import of films from outside is not within the purview of the State Government. Suppose film A comes from an outside area and the Films Censor Board certified it as fit for exhibition. I feel, under sub-section 3, I can still say that this particular film in this particular area should not be exhibited because we feel that it is not for the interest of the people and so on. I may tell you that this is a matter which has been in the process of discussion with the Central Government and ourselves.

[11-15—11-20 a.m.]

I agree with Annada Babu that we should have the power, particularly considering our own social conditions in Bengal. But I am afraid that there is overlapping of the two authorities, Central and State. All we could do is to have a provision like this as sub-section (3) and I can tell Annada Babu that it would be our duty to see that objectionable film even if approved by the Film Censor may not be exhibited in Bengal. If the State

Government licensing authority feels that they should not be allowed—

Sj. Annada Prosad Chaudhuri; Do you not say that in sub-section (3), even if films are certified by the Central Board, you take objection to this?

The Hon'ble Dr. Bidhan Chandra Roy: Of course.

Sj. Annada Prosad Choudhuri: Then you can take objection even to the import of objectionable films from outside.

The Hon'ble Dr. Bidhan Chandra Roy: I may tell my friend that import and export are not under my control.

Sj. Annada Prosad Choudhuri: They may import it and show it in Bombay or Behar or anywhere else. Is it not provided in this subsection that even the import of films, if considered objectionable by the State, will not be allowed?

The Hon'ble Dr. Bidhan Chandra Roy: Imported film may, as far as I can see, fall within the scope of sub-section (3). We may say "This film cannot be exhibited in this area". For instance, if there is the case of a film "Cow slaughter", I do not think that should be exhibited here. Even if it is accepted by the Central Board. I may, under this sub-section, stop its exhibition.

- sj. Nirmal Chandra Bhattacharyya: Do you do the same thing about foreign films. Suppoing a film is passed by the Central Board, can you prevent its exhibition in West Bengal?
- Sj. K. P. Chattopadhyay: I think the power taken is adequate for the purpose.

The Hon'ble Dr. Bidhan Chandra Roy: If in the opinion of the State Government circumstances so justify, they may refuse permission to any licensee.

Sj. Nirmal Chandra Bhattacharyya: Foreign films as well as Indian films?

The Hon'ble Dr. Bidhan Chandra Roy: All films. There was a question raised-Dr. Chakraborty is not here now-as regards aid to Industry. In Great Britain they tried latterly to think in terms of fixing quotas for foreign films. But they have not been able to do anything in this matter because opinions are very strong, one side or the other. But I feel, Sir, that it may be possible for us to have some authority to regulate the exhibition of films which is not good for the State itself. With these words I oppose the amendment.

think the Chief Minister has not answered the main question. My amendment was not against regulation but constitution of a board of appeal with experts.

The Hon'ble Dr. Bidhan Chandra Roy: I wanted to say about that. But I forgot due to interruption by Shri Annada Prosad Choudhuri. He has evidently thought that the Board is necessary in order to control the activities of the licensing authority. Here, there is no question of a Board. The State Government can always have a sort of advisory body. But it is the State Government which have got to decide. Therefore, I cannot say at once that there shall be an advisory board of this type, particularly when I see that his amendment is that this board shall consist of four eminent literary men and directors of film. I do not think that composition is essential. It is the State Government which has got to decide and in deciding they may certainly appoint an advisory committee for the purpose of giving them advice, because every man in the State Government may not be capable of understanding this. Your idea may be incorporated then but I cannot incorporate it in the Act itself.

8j. Annada Prosad Choudhuri: It is not clear. Will the Hon'ble Chief Minister make it clear that this power which is wanted by this provision, shall apply to objectionable films manufactured in foreign countries also? May I ask whether the same power will apply to foreign films as to any other films?

The Hon'ble Dr. Bidhan Chandra Roy: The words "any film" include any film whether imported or not.

sj. K. P. Chattopadhyay: There is another point which the Chief Minister has not replied, namely, the regulation of price of tickets. The cinema trade apprehends that this power will be used for revenue increase and against the interest of producers and consumers.

The Hon'ble Dr. Bidhan Chandra Roy: Dr. Chakrabarty did not refer to it in his speech. So I did not mention it. The point is, we have found sometimes for instance, I know the fact in regard to two films, "Gone with the Wind" and "Quo Vadis", as soon as the exhibitors saw that there was a great demand, they increased the rate. At the present moment we have got no power, for instance, of protection and standardization of the rates.

[11-20—11-25 a.m.]

8j. K. P. Chattopadhyay: Sir, if the Chief Minister gives us the assurance that the revenues derived from these film shows will be utilised in the interest of the consumer and not for any other purpose, I shall withdraw the motion.

The Hon'ble Dr. Bidhan Chandra Roy: Obviously, it will be spent in the interest of the persons who go to see the films.

The motion of Sj. K. P. Chatto-padhyay that in clause 5(2), lines 5 to 8, the words beginning with "and the terms" and ending with "may determine" be omitted, was then put and lost.

The motion of Sj. K. P. Chattopadhyay that in clause 5(4)(a), for the items (i), (ii) and (iii), the following be substituted, namely:—

"to a Board of Cinema Regulation to be set up by the Government of West Bengal consisting of four non-officials to be selected from eminent literary men and from Directors of Films, two officials, and two representatives of the Legislative Assembly,"

was then put and lost.

The motion of Sj. K. P. Chattopadhyay that in clause 5(4)(b), line 1, for the words "State Government" the words "Board of Cinema Regulation" be substituted, was then put and lost.

The question—that clause 5—do stand part of the Bill was then put and agreed to.

Clause 6.

Mr. Chairman: Your amendments are out of order.

Sj. K. P. Chattopadhyay: How they are out of order, Sir?

The Hon'ble Dr. Bidhan Chandra Roy: One clause of a Bill cannot be deleted. You can remove a portion, not the whole clause.

Mr. Chairman: You can speak on your amendments.

Sj. K. P. Chattopadhyay: I may give out some points. Sir. we have some apprehension about the use of this clause. The Chief Minister has pointed out very clearly that there is already a Board of Censors which removes objectionable portions from the films to regulate the display of such film. Then why suddenly there will be a breach of public peace by reason of showing the film which has passed through the double screens—the double filter, namely, the Board of Film Censor and the licensing authority? Are ' they incompetent so that other persons

are required for this purpose? What I apprehend is this that under this clause you may be using the power to replace the anti-diluvian law which came into force during the "Nil Darpan" days when its show was prevented in public by the use of this clause as Government did not like the book.

The Hon'ble Dr. Bidhan Chandra Roy: The answer is quite simple. It may happen in a particular The licensing authority or the Film Censor Board may give permission but may not give the place where to show the film the man having the license may show the film in a place where the film may cause breach of public peace. It is in this exceptional circumstances that the power is being sought for—(Sj. K. P CHATTOPADHYAY: You can do it by rules under the Indian Penal Code Sir, the power has been sought to be given for two months only Power will be given to the District Magistrate for the purpose of controlling the exhibition of the film in a particular place.

The question that clause 6 do stand part of the Bill was then put and agreed to.

[11-25—11-30 a.m.]

Clause 7.

Si. Annada Prosad Choudhuri:

মাননীয় সভাপতি মহাশয়, অতি সংক্ষেপে এ সম্পর্কে আমি বলছি আমাব যা বন্ধনা ছিল তা কুল সেভেনের আলোচনায বলেছি। মাননীয় মহাশয়কে বলছি এই যে সাটিফিকেটের কথা আতে. যদি সেণ্টাল বোর্ড "এ" সাটিফিকেট দেয় অর্থাং "কর য্যাভাল্টস ওনলি" তা সত্ত্বেও যদি কোন চিত্রগৃত্বের মালিক দেখায তাহলে সেটায়,

"Penalties for contravention of the Act"

এই সেক্সনেৰ মধ্যে আসবে কিনা সেইটে আনি পরিম্কারভাবে জানতে চাই।

The Hon'ble Dr. Bidhan Chandra Roy: Sir, I might explain that Part II of the Central Act lays Government

down that there shall be certification of films and the films shall be marked "U" or "A", and in that part also there is a section for penalty. This Part II is applicable to all States in India. Therefore, section 7 says that if an owner or a person in charge permits exhibition in contravention of the provisions of this Act, he shall be punishable. If any provision of this Act is violated, the person is liable to penalty. The question that my friend Shri Annada Prosad Choudhuri is trying to put forward is: a person showing an "A" film allows children to go to that film; whether he is punishable or not. He will not be punishable under this Act. But, take the instance of the Customs Act. It is not a Bengal Act, it is an all-India Act. But anybody contravening the Act will be pounced upon by the police. Similar is the case here. impression is, the Home Secretary told him that we have no power. I do not think that he was right if 1 · had said that. After the Central Act has been passed, Part II of that Act is applicable to all States. Therefore, if anybody contravenes the provisions of that Act, he is liable for penalty according to the relevant section of that Act. But that does not apply to this particular section.

8j. Annada Prosad Choudhuri: Will he be punishable by the Central Government for contravening the Central Act or by the State Government?

The Hon'ble Dr. Bidhan Chandra Roy: The actual punishment is given as provided for in the Central Act itself. But our people, that is to say the police of this State, will have to take action because the Central Government has not got any machinery for this. As I said just how, the corresponding example would be the Customs Act. We have nothing to do with that Central Act. But if we come to hear that a particular person is violating the provisions of the Customs Act, we take action, not the Central Government.

8j. K. P. Chattopadhyay: May I enquire how would you define an "adult"?

Bills

The Hon'ble Dr. Bidhan Chandra Roy: It is defined in the Act itself. In the Central Act the definition is given. It says that an "adult" means a person who has completed his eighteenth year.

Sj. K. P. Chattopadhyay: Can a ticket seller decide that by a glance?

The Hon'ble Dr. Bidhan Chandra Roy: He has to see his teeth and see how many teeth he has got. (Laughter.)

The question that clause 7 do stand part of the Bill was then put and agreed to.

Clause 8.

The question that clause 8 do stand part of the Bill was then put and agreed to.

Clause 9.

- 8j. K. P. Chattopadhyay: Sir, I beg to move that in clause 9, the following new sub-clause be added at the end, namely:—
 - "(3) The rules so made under sub-section (1) shall be laid before, and shall take effect if approved by, the Legislature."

is There another rule-making power given under clause 3(2). 1 am sorry I did not include it in this amendment. Since all amendments are likely to be lost it does not matter very much. The Hon'ble Chief Minister has given a number of assurances as to how the will be operated, and surely Act will be operated through the rules that you make. In that case he cannot have any objection to laying the rules before the House and getting them approved by the House. Earlier he said the rules made could be objected to; this can be done if my amendment is accept ed by him.

8j. Nirmal Chandra Bhattacharyya: Sir, more than once in the course of the debate in connection with this Bill I have raised this problem of rule-making. Sir, we do not object to this rulemaking power being given to the Government. It is necessary, but, Sir, it is also necessary that rulemaking power should be kept within reasonable limits. In England and other countries the present tendency is to limit the rule-making power within reasonable limits. This is done by requiring that the rules that are framed should be placed before the Legislature.

Government

[11-30—11-35 a.m.]

England a committee was appointed known as the Delegated Legislating Committee. That committee went over the question and reported that it necessary to restrict the power of rule-making that went to Government under Parliamentary Acts because the specialists and other experts in all the parties thought that the departments moved in a bureaucratic way. But since in a social service State it was necessary that they should be kept within reasonable limits, therefore, the committee reported that it was desirable that these rules should be placed on the table of the House and should be accepted if they are not challenged. It is this simple constitutional principle that has been placed before this House by the amendment of Sj. K. Chattopadhyay. In this connection I cannot but hope that the Chief Minister will give a definite assurance so that the Government may be guided by an independent body in this matter. We shall be obliged if the Chief Minister will speak on the point raised and give his assurance that an advisory committee would be set up.

The Hon'ble Dr. Bidhan Chandra Roy: Sir, I object to these amendments for a very simple reason that the State Government is given the responsibility of putting the provisions of the Act, which have been accepted by the Legislature, into proper form. In order to do so we have got to frame certain rules. Suppose a particular rule is necessary for giving effect to one section of the Act which has been passed by the Legislature and the Legislature refuses to give assent to it then we are in a fix. I do not know of any constitution in which the rule-making power is subject to the approval of the Legislature, I, therefore, oppose the amendments.

The motion of Sj. K. P. Chattopadhyay that in clause 9, the following new sub-clause be added at the end, namely:—

"(3) The rules so made under sub-section (1) shall be laid before, and shall take effect if approved by, the Legislature."

was then put and lost.

The question—that clause 9—do stand part of the Bill was then put and agreed to.

Clauses 10 to 13.

The question that clauses 10 to 13 do stand part of the Bill was then put and agreed to.

Preamble.

The question that the Preamble do stand part of the Bill was then put and agreed to.

The Hon'ble Dr. Bidhan Chandra Roy: Sir, I beg to move that the West Bengal Cinemas (Regulation) Bill, 1954, as settled in the Council be passed.

Janab Abdul Halim:

মাননীয় মুখ্যমন্ত্রীমহাশ্য বলেছেন যে কার্য রেগুলেট করার ব্যাপারে ওবা কতকগুলি রেগুলেলন করছেন সেখানে কতগুলি অধিকাব থাকা উচিত। এখানে পুশু হচেছ এই রেগুলেটিং ব্যাপারে তিনি আশাস দিয়েছেন, কিন্তু আমার বন্তব্য হচেছ এই ফিলম শো রেগুলেট করার নাম করে সঙ্গে সঙ্গে বরাব দরকার ছিল যে জুল-কলেজ্পএ শিক্ষামূলক যে সমগ্র ১৬ মি: মি: ছবি তা বন্ধ করা হবেন।। এই পুসর্গে

বিদেশী গণতম্বলক যে সমস্ত ফিলম আসবে বা কালচারাল ডেলিগেসনএ যে সমস্ত ফিলম আসবে বাহুলি যাতে বন্ধ করা না হয়। আপনারা জানেন যে ্ট কালচারাল ডেলিগেসনএর সঙ্গে সঙ্গে বিদেশে ইণ্ডাষ্ট্ৰীয়াল ডেলিগেসন যাচেছ, সেই সজে বেসব শিকামলক ছবি দেখানর ব্যবস্থা আছে সেগুলি নষ্ট হয়ে যাবে। আমি সেইজন্য মুখ্যমন্ত্রীকে অনুবোধ করবে। যে এই সমস্ত ফিলম যাতে বন্ধ ন। হয়ে যায় তার ব্যবস্থা কৰবেন। বিদেশের সঙ্গে গাংস্কৃতিক মিল তা বেডে যাবে এবং সেই **সঙ্গে** স**ঞ্চে** আমাদেব ভবু কালচাবই নয় এই ইণ্ডাষ্টাজও অনেক লাভবান হবে। এইজন্য আমি বলবে। যে ষ্টেটএর সহযোগিত। দবকার। এই বলে আমি আমার বজব্য শেষ করছি।

+11-35—11-40 a.m.]

The motion of the Hon'ble Dr. Bidhan Chandra Roy that the West Bengal Cinemas (Regulation) Bill, 1954, as settled in the Council be passed, was then put and agreed

The West Bengal Requisitioned Land (Continuance of Powers) (Second Amendment) Bill, 1954.

The Hon'ble Satyendra Kumar Basu: Sir, I beg to move that the West Bengal Requisitioned Land (Continuance of Powers) (Second Amendment) Bill, 1954, as passed by the Assembly, be taken into consideration.

Sir, you are aware that certain properties were requisitioned under the rules trained under the Defence of India Act. Some of these properties were also acquired. In 1951, the West Bengal Requisitioned Land Act was passed to enable Government to continue under requisition some of these properties and also to acquire some of them. There were properties which were teleased or subsequently acquired before that Act came into force. Compensation has to be assessed and paid in respect of these latter Properties which were released or acquired before the Act came into force. Proceedings have started for the purpose, but Government have been advised that these

proceedings may be questioned and contended to be ultra vires. order to validate these proceedings, this Bill is introduced so that in respect of properties so requisitioned but released or acquired before the Act came into force, compensation may be assessed and paid.

Bille

The motion of the Hon'ble Satyendra Kumar Basu that the West Bengal Requisitioned Land (Continuance of Powers) (Second Amendment) Bill, 1954, as passed by the Assembly, be taken into consideration, was then put and agreed to.

Clauses 1 and 2.

The question that clauses 1 and 2 do stand part of the Bill, was then put and agreed to.

The Hon'ble Satvendra Kumar Basu: Sir, I beg to move that the West Bengal Requisitioned (Continuance of Powers) (Second Amendment) Bill, 1954, as settled in the Council, be passed.

The motion was then put and agreed to.

The West Bengal Evacuee Property (Amendment) Bill, 1954.

The Hon'ble Satyendra Kumar **Basu:** Sir, I beg to move that the West Bengal Evacuee Property (Amendment) Bill, 1954, as passed by the Assembly, be taken into consideration.

Sir, the principal Act was passed in 1951. An "evacuee" has been defined in the Act to mean a person ordinarily resident in West Bengal, who on account of communal disturbances or the fear of such disturbances leaves, or has after the 15th day of August, 1947, left for any place in Pakistan and includes the legal heirs of such person.

[11-40-11-45 a.m.]

There is a provision that the property of such a person is evacuee

[The Hon'ble Satyendra Kumar Basu.]

property. Section 4 provides that the Collector or an officer to whom the powers of a Collector are delegated if satisfied $_{
m that}$ property is lying unoccupied, uncultivated or uncared for, or has come to be wrongfully used or occupied by any person may take over possession of such property. Section 21 gives the committee power to lease out such lands in rural areas for not more than months and in one urban area for not more than three months. The lessee who will cultivate the lands will not have any incentive to invest money if short leases are granted. They will have incentive to improve the lands. That is why it has been proposed to empower the Evacuee Property Management Committee to lease or let any property which has vested in it for a period up to five years if it is situated in an urban area and for a period up to 10 years if it is situated in a rural area.

The motion of the Hon'ble Satyendra Kumar Basu that the West Bengal Evacuee Property (Amendment) Bill, 1954, as passed by the Assembly, be taken into consideration was then put and agreed to.

Clauses 1, 2 and 3.

The question that clauses 1, 2 and 3 do stand part of the Bill, was then put and agreed to.

Preamble.

The question that the Preamble do stand part of the Bill was then put and agreed to.

The Hon'ble Satyendra Kumar Basu: Sir, I beg to move that the West Bengal Evacuee Property (Amendment) Bill, 1954, as settled in the Council, be passed.

The motion was then put and agreed to.

The Cooch Behar (Assimilation of State Laws) (Amendment) Bill, 1954.

The Hon'ble Satyendra Kumal Basu: Sir, I beg to move that the Cooch Behar (Assimilation of State Laws) (Amendment) Bull 1954, as passed by the Assembly betaken into consideration.

Sir, before the merger of Coori Behar certain laws peculiar to that State were in force there. The laws of West Bengal were some what different. After the merger of Cooch Behar with West Benga an Act was passed in 1950 extending the laws in force in West Bengal to Cooch Behar regarding matters which are set out in the State List II in Schedule VII or the Constitution excepting those mentioned in the Second Schedule appended to the Act of 1950. Cooch Behar Laws set out in the First Schedule were also allowed to remain in force—(Sj. NIRM) Chandra Bhattacharyya: What is Second Schedule?) TheSchedule contains following Acts:-

- (1) The Bengal Land Revenue Sales Act, 1859;
- (2) The Bengal Land Revenue Sales Λct, 1868;
- (3) The Village Chowkidan Act, 1870;
- (4) The Bengal Village Chowkidari Act, 1871;
- (5) The Cess Act, 1880;
- (6) The Bengal Tenancy Act. 1885;
- (7) The Bengal Village Self-Government Act 1919; and
- (8) The Bengal Municipal Λ to 1932.

[11-45-11-50 a.m.]

You will see that certain laws which were in force in Cooch Betal were allowed to remain in for e. You will also notice that the subjects which are dealt with under Schedule I and Schedule II are same

or similar so that under the Act the laws which were peculiar to Cooch Behar in respect of those subjects were allowed to be in force in that State and the laws in force in the rest of West Bengal were made applicable to Cooch Behar barring those matters which were retained under Schedule 1. But later on, I think it was on 27th July, 1952, 17 chhits were transterred from Cooch Behar to Jalpaiguri. The laws as provided in the 1950 Act continued to be in force in these chlits with the result that in the major portion of Jalpaiguri district the laws applicable to West Bengal are in force, and in these chhits the laws applicable to Cooch Behar are in force. That has led to difficulties. In order to remove the anomaly the amendments proposed in the Bill are sought to be enacted.

Government

of the The motion Satyendra Kumar Basu that the Cooch Behar (Assimilation of State Laws) (Amendment) Bill, 1954, as passed by the Assembly, be taken into consideration, was then put and agreed to.

Clauses 1 and 2.

The question that clauses 1 and 2 do stand part of the Bill was then put and agreed to.

Preamble.

The question that the Preamble do stand part of the Bill was then put and agreed to.

The Hon'ble Satyendra Kumar Basu: Sir, I beg to move that the Behar (Assimilation Cooch State Laws) (Amendment) 1954, as settled in the Council, be passed.

The motion was then put and agreed to.

The Waste Lands (Requisitioning and Utilization) (Amendment) Bill, 1954.

The Hon'ble Satyendra Kumar Basu: Sir. I beg to move that the Waste Lands (Requisitioning and Utilization) (Amendment) Bill. 1954, as passed by the Assembly, be taken into consideration.

Bills

Sir, "waste land" as defined in clause (5) of section 2 of the 1952 Act "does not include land forming part of, or conterminous with. any homestead, farm house, burning or burial ground or any place of worship". Section 6(2) of the Act provides that in allotting requsitioned land preference shall. whenever possible, be given to the person who was in possession of the waste land immediately before requisition. These provisions have stood in the way of effecting utilization of waste lands for the purposes of refugee rehabilitation. Accordingly it is proposed to amend the Act by deleting the words "or conterminous with" from section 5(2) and to omit sub-section (2) of section 6 of the Act.

The motion—was then put agreed to.

Clauses 1 to 3.

The question that clauses 1 to 3 do stand part of the Bill was then put and agreed to.

Preamble.

The question that the Preamble do stand part of the Bill was then put and agreed to.

The Hon'ble Satyendra Kumar Basu: Sir, I beg to move that the Waste Lands (Requisitioning and Utilization) (Amendment) 1954, as settled in the Council, be passed.

The motion was then put and agreed to.

Mr. Chairman: Consideration of the Bills already circulated and any other Bills that may come from the Assembly will be taken up when the House meets next at 3 p.m. on the 28th September, 1954.

Nirmal Chandra Bhattacharyya: Will the Chief Minister

Bhatta-[Sj. Nirmal Chandra charyya.]

please state if he is willing to allot a day for the consideration of nonofficial resolutions?

The Hon'ble Dr. Bidhan Chandra Roy: Not this session.

Adjournment,

The Council was then adjourned at 11-50 a.m. till 3 p.m. on Tuesday, the 28th September, 1954, at the Legislative Buildings, Calcutta.

Members absent.

Banerjee, Sj. Sunil Kumar, Banerji, Sj. Sankar Das, Bose, Sj. Subodh Kumar, Mookerjee, Sj. Kamala Charan, Prodhan, Sj. Lakshman, Sanyal, Sj. Charu Chandra, Saraogi, Sj. Pannalal, Sarkar, Sj. Pranabeswar, and Sinha, Sj. Rabindralal.

COUNCIL DEBATES

Tuesday, the 28th September, 1954.

THE COUNCIL met in the Legislative Chamber of the Legislative Buildings, Calcutta, on Tuesday, the 28th September, 1954, at 3 p.m. being the 7th day of the Fifth Session, under the Constitution of India.

Mr. Chairman (THE HON'BLE DR. SUNITI KUMAR CHATTERJI) was in the Chair.

[3-3-5 p.m.]

QUESTION

(to which oral answer was given)

Premises requisitioned by Government within Calcutta Corporation and amount of rent paid and realised therefor.

- 9. Sj. Annada Prosad Choudhuri: Will the Hon'ble Minister-in-charge of the Land and Land Revenue Department be pleased to state in respect of premises requisitioned by Government in the area under the Calcutta Corporation—
 - (a) the total number of such premises;
 - (b) the total amount of rent paid by Government for those premises;
 - (c) the total amount of rent realised from those premises;
 - (d) the number of such premises used for non-official purposes and/or for non-officials; and
 - (c) the amount of rent paid by Government for premises used for non-official purposes and/or by non-officials and the amount of rent realised from such premises?

Minister-in-charge of Land and Land Revenue Department (the

Hon'ble Satyendra Kumar Basu):
(a) 2,082 including 1,504 requisitioned under the Defence of India Rules.

- (b) Rs 88,81,536-4-1 including rents of premises requisitioned for different departments of Government for which rents are not realisable and of premises requisitioned under the Defence of India Rules.
- (c) Rs. 39,72,994-7-5 including Rs. 9,52,752 realised on account of requisitions made under the Defence of India Rules.
- (d) 73 including 17 under the Defence of India Rules.
- (e) Rent paid is Rs. 12,02,612. In some cases no payment has been made due to non-execution of agreement by owners and reference to arbitration, etc.

Rent realised is Rs. 12,53,072.

N.B.—The figures have been collected up to June, 1954.

Si. Annada Prosad Choudhuri:

মাননীয় মন্ত্ৰীমহাশয় বলবেন কি এই যে ''ডিফেংস অফ ইণ্ডিয়া কলসএ'' ১,৫০৪টা বাড়ী বেকুইজিসন করা হয়েছে তার মধ্যে কি বেশীরভাগই আছে নন-অফিসিয়াল পাবপসেসএর জন্য ?

The Hon'ble Satyendra Kumar Basu: Premises were requisitioned for non-official purposes for housing the labour force of the Calcutta corporation, for public institution, such as schools, colleges and the Calcutta University, the Damodar Valley Corporation, Foreign Consulates and Embassies. These are public purposes. Less than one dozen houses were requisitioned to accommodate stranded non-officials.

Sj. Annada Prosad Choudhuri:

এই ট্রাণ্ডেড নন-অফিসিয়ালএর মধ্যে ইম্পিরিয়াল টোবাকো কোম্পানীর অফিসাবরা পড়ে কি?

The Hon'ble Satyendra Kumar Basu:

তা আমি বলতে পারি না।

8j. Annada Prosad Choudhuri:

Questions and Answers

মাননীয় নম্বীমহাশয় একটু খোঁজ করে দেখবেন কি যে ইম্পিরিয়াল টোবাকে৷ কোঃএর অসিফারদের জন্য থাড়ী রেক্ইজিসন করা হয়েছে কিনা ?

The Hon'ble Satyendra Kumar Basu:

(एश्रंदा।

Si. Annada Prosad Choudhuri:

এই যে ৮৮,৮১,৫৩৬ টাকা ভাঙা দিতে হয়,
আর ৩৯,৭২,৯৯৪ টাকা ভাঙা আদায হয়, এব মধ্যে
এমন কি কোন বাড়ী আছে যাব ভাড়াব বেশী অংশ
গভর্গনেণ্ট অফিগাবদেব জন্য বাদ পড়ে এবং বাকী
কম অংশ গেপানে গভর্গনেণ্ট কর্ম্মচারী যার। বাদ
করে ভাদেব কাছ থেকে আদায় কবা হয়?

The Hon'ble Satyendra Kumar Basu:

এ সম্বন্ধে না দেখে আনি কিছু বলতে পারবো না।

Si. Annada Presad Choudhuri:

এই যে ৮৮,৮১,৫১৬ দেয় টাকা আদায় হয় বলেছেন, এখানে এত কম আদায়েব কারণটা কি একমাত্র সবকাবী অফিসের বাডীব ভাডাব জন্য ৪

The Hon'ble Satyendra Kumar Basu:

অনেক ৰাঠাই সৰকারী অফিসেব জন্য ব্যবহার করা হয়।

Sj. Annada Prosad Choudhuri:

মাননীয মন্ত্ৰীমহাণ্য একটু খোঁজ করে বলবেন কি যে ১৬০ নথপ লোধাব সাকুলাব বোড থাব ৯ নম্বব হাঙ্গার কোর্ড ব্লীট—সেধানে ১,৫০০ টাকা ভাডার জায়গায় মাত্র ৬০০ টাকা দেন সেধানে যে সমস্ত কর্মচাবীবা থাকেন আব বাকী ৯০০ টাকাটা প্রোপোবসনোনলি কম স্পেস নিয়েও সবকাবী ধরচের মধ্যে পড়ে ?

The Hon'ble Satyendra Kumar Basu:

আপনি নোটিশ দেকেন. খোঁজ নিয়ে বলবো।

Sj. Annada Prosad Choudhuri: Detence of India Rules

এর জন্য যে সব বাড়ী এখনও পর্যান্ত নন-আফি-সিয়ালদের জন্য নিয়ে বাখা হয়েছে, তা কি এখনও গাকবে?

The Hon'ble Satyendra Kumar Basu:

কতকগুলি থাকবে।

Sj. Annada Presad Choudhuri:

কতকগুলি এখনও থাকবাব কি কারণ হতে পারে ?

The Hon'ble Satyendra Kumar Basu:

আছেত মাত্র লেগ দান এ ডজন, এবং যেমন পারছি ডি-বেক্ইজিগন করছি।

Sj. Annada Prosad Choudhuri:

এই যে লেস দ্যান এ ডজন আছে বলছেন তা লেস দ্যান এ ডজন বা যতই থাকুক যদি সবকাব মনে করেন যে এইওলি আমবা ছেচে দিতে চাই এবং এর জন্য যদি কিছু গভ-নিদেন্টেব ধৰচ না হয় তাহলে কতদিনেব মধ্যে এইওলি একেবাবে ছেডে দিতে পারেন বলে মনে হয় ?

The Hon'ble Satyendra Kumar Basu:

তা বলা শক্ত।

[3-5-3-10 p.m.]

Message.

Secretary (Sj. A. R. Mukherjea): Sir, the following Message has been received from the West Bengal Legislative Assembly, namely:—

"Message.

The West Bengal Alienation of Land (Temporary Provisions) Bill, 1954, as passed by the West Bengal Legislative Assembly at its meeting held on the 20th September, 1954, has been duly signed by me and is annexed herewith. The concurrence of the West Bengal Legislative Council to the Bill is requested.

ASHUTOSH MALLICK.

Deputy Speaker,
West Bengal Legislative
Assembly."

CALCUTTA:

The 23rd September, 1954.

Sir, I lay on the table a copy of the Bill.

Request for statement on Food position.

Sj. Nirmal Chandra Bhattacharyya: May I make a request to the Minister of Food? He has been good enough to make a statement in the Lower House regarding the food position of West Bengal.

Bills

We shall feel obliged if he will kindly make a similar statement here so that we may have an opportunity of expressing our views on the food position in West Bengal.

Government

The Hon'ble Prafulla Chandra Sen: In the Lower House I only distributed a printed statement. I shall distribute the same statement here if he likes.

Sj. Nirmal Chandra Bhatta- charyya: That will give us the opportunity of discussing the food position after he has distributed it amongst members.

The Hon'ble Dr. Bidhan Chandra Roy: I cannot say, Sir, what will be the programme of business. We have got to find out whether there will be any time for this.

Sj. Nirmal Chandra Bhattacharyya: Is it the opinion of the Government that discussion on the food position will be stopped because there are some unpalatable things that may be said on the floor of the House.

The Hon'ble Dr. Bidhan Chandra Roy: I do not condescend to answer that question.

Sj. Nirmal Chandra Bhatta-charyya: It is not a question of condescension on the part of the Chief Minister. We stand on our rights and not on his pleasure.

The Hon'ble Dr. Bidhan Chandra Roy: Sometimes you stand on your lefts also and not on your rights.

COVERNMENT BILLS.

The West Bengal Livestock Improvement Bill, 1954.

The Hon'ble Dr. Raffuddin Ahmed: Sir, I beg to move that the West Bengal Livestock Improvement Bill, 1954, as passed by the Assembly, be taken into consideration.

Sir, in laying this Bill I want briefly to present before the members a few facts which may help in the discussion of this small Bill. We are all agreed that the improvement of our livestock is absolutely

necessary. For the improvement of the cattle of our State many attempts have been made before; and all our experts are agreed that the best way of improving the cattle was by means of having better, bulls. Years ago, you might remember, Lord Linlithgow tried his experiment of distributing the Linlithgow bulls all over country and he did not succeed to the extent that we hoped. Modern science has placed in our hand a weapon which can help us in improving our breeds to a very great extent cheaply and quickly, I mean, the use of artificial insemina-This has proved quite successful in this State as well as many other States of India. As you know we have about one crore of cattle and there—are—six lakhs of buffaloes, and it is not possible to take up the improvement of all these at once. Therefore we have divided our State into several intensive zones. These intensive zones are situated in various parts of our districts. We have at the present moment 37 zones where we give bulls of the approved type. But there are difficulties in this way that many times we are unable to eliminate scrub bulls, often times we are unable to eliminate the dedicated bulls which may not be of the approved type. And this difficulty has been faced in our State as well as in other States. Some other States have already got legislation in this respect and by means of this legislation we are trying to have notified areas where we will have approved bulls as well as artificial insemination centres from our own breed of bulls which may be approved by the experts. Therefore, the point is that where voluntary castration of non-approved bulls is not possible, we have taken powers under this Act, to impose castration under section 9 of this particular Bill which is before you. Our experts are agreed that it is only by the introduction of improved bulls that the whole breed can be improved all over. Therefore, we feel, Sir, that the difficulties which face us can be surmounted if these

[The Hon'ble Dr. Rafiuddin Ahmed.]

small powers are given to us to begin with, in notified areas where we will have certain powers to do away with the unapproved bulls.

[3-10—3-15 p.m.]

That is all, Sir. That is the main purpose of the Bill and I hope that if we really want to get more milk and want to get better draught animals this is the only way. I commend my Bill to the consideration of the House.

Dr. Monindra Mohan Chakrabarty: Sir, I beg to move that the West Bengal Livestock Improvement Bill, 1954, be circulated for the purpose of eliciting opinion thereon by the 15th December, 1954.

Sir, the purpose of the present Bill, I am prepared to admit, is good, namely, the improvement of livestock in West Bengal by properly certifying the bulls which can propagate superior progency and rendering the inferior ones ineffective by castration. But let us see if the object of improvement of livestock will be achieved by merely passing this Act. The issue is really a bigger one. The main reason of the deterioration of the standard of our cattle population is not only the continued propagation of inferior species but lack of nutrition also. The problem is related to the supply of proper fooder and other requirements which undermine the health of the animals which results in their being physically under-developed and healthy. This is particularly true in West Bengal with respect to cow. So whatever may be the quality of bulls, if the cows are weak, under-nourished, physically deformed due to lack of proper nutrition, the offsprings are bound to be unsatisfactory. The object of this Bill will be defeated if that happens. Then again, there will be difficulties in the way of servicing the cows of delicate constitution with the help of healthy bulls as was illustrated by the experience of

Lord Linglithgow bulls. As a matter of fact some of these bulls were distributed to various district boards and so on but the difficulty was that the cows in these areas, particularly in West Bengal, could not simply take the bulls. Of course artificial insemination can to some extent obviate this difficulty but we have not so many centres for these techniques. modern scientific Therefore, Sir, I do not think that any great improvement is likely to occur to our livestock by simply passing this Bill. I am of opinion that the whole problem is to be viewed in its entire perspective and the following procedure should be adopted, namely:-

- A full cattle census giving the different types and species should be undertaken,
- (2) only bulls suitable for propagation in a particular area taking account of environment and other factors should be allowed in an area.
- (3) in every region proper grazing grounds should be provided and maintained and should be made available to all owners of cattle,
- (4) those owners of cattle who cannot provide for fodder

Mr. Chairman: Mr. Chakrabarty, your amendment is for circulating the Bill for opinion. But you are discussing the clauses of the Bill.

Dr. Monindra Mohan Chakrabarty: Sir, I am developing my points...(interruptions from Government Benches)...If you do not want to understand the problem, it is no use remaining in the House. (Sj. Bijoy Singh Nahar: Finish quickly)...You may be in a hurry but others are not.

As I was saying, Sir, those owners of cattle who cannot provide for fodder should be supplied with fodder from Government stores or in the alternative there—should be

Government pounds where the cattle owners can send their cattle in times of distress. The cost can be recovered in easy instalments. Since elimination of undesirable cattle is bound to.....

[3-15—3-20 p.m.]

The Hon'ble Dr. Bidhan Chandra Roy: All these propositions, how are they connected with the Bill?

Dr. Monindra Mohan Chakrabarty: They are connected with the improvement of livestock which the present Bill seeks to do. This Bill deals with the improvement of livestock.

The Hon'ble Dr. Bidhan Chandra Roy: Now, there are two points. One is whether a Bill like this should come at all. That is what circulation seeks to do. The other point is, you want to make improvements. Then you can have suitable amendments to the Bill.

Dr. Monindra Mohan Chakrabarty: Then the purpose of the Bill will be defeated.

The Hon'ble Dr. Bidhan Chandra Roy: If you at all do not propose to allow the Council to discuss this at this stage but want to get public opinion, it is one matter. But if you want this to be modified in a certain manner, that is another matter.

Dr. Monindra Mohan Chakrabarty: My submission is that these factors should also be looked into. Since elimination of undesirable cattle is not possible in our country due to religious sentiments, all possible steps should be taken to control the animal population.

Mr. Chairman: That does not particularly pertain to this amendment.

The Hon'ble Dr. Bidhan Chandra Roy: It is a wellknown parliamentary convention that at this stage the provisions of the Bill should not be referred to except in a very general sort of way in order to show that the Bill should not be considered at all. The moment you say that it should be done in this way, then you are considering the Bill; then how can you circulate it? It is illogica.

Dr. Monindra Mohan Chakrabarty: What I say is that these points should also be considered.

Sj. Nirmal Chandra Bhatta-charyya: The Bill is a very narrow one and it should be made comprehensive, and in this narrow form it should not be taken. That is probably the idea of the mover of the amendment.

The Hon'ble Dr. Bidhan Chandra Roy: If you consider the contents of the Bill, then you are considering the Bill. The proposition at this stage is whether you should consider at all. Therefore, whether it is narrow or big is not the question at issue. Narrowness can be rectified by amendments later on.

Dr. Monindra Mohan Chakrabarty: I understand what the Chief Minister has said. But the point is that I just wanted to indicate that improvement is not possible by merely passing this Bill because it will be ineffective. By simply certifying you cannot improve the livestock.

Mr. Chairman: I understand your point. But your development is far beyond the terms of your amendment. Any other speaker?

Sj. Annada Prosad Choudhuri:

মাননীয় সভাপতি মহাশয়, এই যে বিল আমাদের সামনে উপস্থাপিত কবা হয়েছে সে সম্বন্ধে কোন আপত্তির পুশু উঠতে পাবে না। আমাদের দেশের গোজাতির উনুতি করা হবে সেই জিনিম কেউ চামনা এমন কথা বলা যায় না। কিন্তু কি উপায়ে সে উনুতি হবে সে বিময়ে মততেস থাকতে পারে। মাননীয় মন্ত্রীমহাশয় একটু আগেই বলেছেন লর্ড লিনলিথগো কিছুদিন আগে গোজাতিন উনুতির জন্য প্রাপ্ত কুলস দিয়েছিলেন——যাকে উনি লিনলিথগো বুল বলে বর্ণনা করেছেন। কিন্তু সেই লিনলিথগো বুল দিয়ে যে প্রতিক্রিয়া আমাদের প্রামাঞ্চলে হয়েছে, আমি সে বিময়ে মন্ত্রীমহাশয় এবং সরকারের দৃষ্ট

[Sj. Annada Prosad Choudhuri.]

আকর্ষণ করতে চাই। তথন ঠিক হয়েছিল যে এরকষ

আমাদের দেশের অনেক ধারাপ ঘাঁড আছে তায়ার।
গোলাতির উনুতি সঞ্জপর নয়। তথন ঠিক এইরকমে

সিলেক্টেড এবিযার মধ্যে ধারাপ ঘাঁড়গুলোকে

অকেন্দ্রে। কবে ভাল ঘাঁড এবন মাতে গোলাতির উনুতি
করা যায় সেই ব্যবহা করা হয়েছিল।

স্যার মেদিনীপুর জেলা একটা বিরাট জেলা,
তার একটা মহকুনার ঘাটালে এক একটা থানা ধরে
সেথানকার যে সমস্ত বুল তিল সেওলিকে কাসট্টেট
করে দেওয়া হল,—এইযে ইনটেনসিভ এরিয়ার কথা
উনি বললেন, তাতে ধকন, এই মহকুমা থেকে
ইনটেনসিভ এরিয়া ঠিক করা হ'ল, কিন্তু ভাল বুল
রাখা হ'ল প্রায় একশো মাইল দুরে ঝাড়প্রামে।
উনি বললেন ৩৭টি ইউনিট বা জোন করা হচেছ,
সেই ৩৭টি এলাকায় কোধায়, কত বড় এবং তার
মধ্যে কতগুলি ভাল বুল রাখা যাবে, তার ঘারা
স্তাত্যকারের উপকার হবে কিনা, সেগুলি না জানা
পর্যান্ত, সে সম্বন্ধে নানা ভাবেব সন্দেহ সাধারণত
মনে জাগে।

আমাব মনে হয় অতীতে যে ব্যবস্থা হযেছিল আবার যেন তারই পুনরাবৃত্তি না হয়। সেই জন্য এখানে জানতে চাই, এর পবেই মাননীয় মন্ত্রীমহাশয়ের স্থুযোগ আগবে বলবার তখন তিনি যেন বলেন এই যে ৩৭টি ইনটেনসিভ এরিয়া, সেগুলি কোথায়, এই এক একটি ইনটেনসিভ এবিয়া কত বড় এবং সেখানে কতগুলি বুল বাগা যায়। উনি মনে কবেন সেখানে উপযুক্ত ঘাঁড় রাখলেই তার ঘানা সত্যি সত্যিই গোজাতির উনতি হতে পারবে। কিন্তু, তার জন্য যদি ঠিক ঠিক ব্যবস্থা না হয়, তাহলে ইতিপর্বের্ব আমাদের যে অস্থবিধা ভোগ করতে হয়েছে তারই আবাৰ পনৱাৰত্তি হতে পাবে। কাজেই এই বিল সম্বন্ধে যদি কারও বিশেষ মতভেদ নাও থাকে তাহলেও একে কাজে রূপ দেবার জন্য যে ব্যবস্থা হবে তার यमि विश्वे विवत्न ना शांउग्रा गांग, ठाइटल जांगारमत মনে স্বাভাবিকভাবে এই সন্দেহ জ্বাণবে যে অতীতে আমরা যে অস্ত্রবিধা ভোগ কবেছি গেই অস্ত্রবিধা আবার ভোগ করতে হবে। তারপব একটা বিধান আছে সে বিষয় মন্ত্রীমহাশয়ের কাছে শুনবো--বলা হচেছ,

"dedicated bulls to be approved bulls" এ₹ "no persons in a specified area may dedicate a bull other than an approved bull....." [3-20-3-25 p.m.]

Mr. Chairman: Mr. Choudhuri, you are discussing the provisions of a particular section of the Bill. It is not the proper time for such a discussion.

Sj. Annada Prosad Choudhuri: I am making a general observation just to draw the attention of Government.

The Hon'ble Dr. Bidhan Chandra Roy: That can be done at the third reading stage.

- Sj. Annada Prosad Choudhuri: I mention these things now as I have an opportunity of hearing the Hon'ble Minister at the consideration stage. I hope the Chief Minister will not deny me this opportunity.
- Sj. Nirmal Chandra Bhattacharyya: Sir, I stand up to congratulate the Minister on the introduction of this Bill. There are some Ministers who talk very much but do little work; there are some who talk little but work well. Dr. Ahmed belongs to the latter category.

The Hon'ble Dr. Bidhan Chandra Roy: There are some Ministers who talk and work.

Sj. Nirmal Chandra Bhattacharyya: Sir, the members of the Opposite side are today in a jocular mood. I do not know why. Possibly, they do not realise the importance of the measure that is put before the Legislative Council by Dr. Ahmed. The importance of the cattle problem so far as supplies of milk is concerned, in the field of marketing of rural products, in the field of agriculture, in the field of irrigation and in the field of manuring cannot be over-emphasised. Sir, it has been calculated by the Central Marketing Department that the cattle population of India concerns no less than 19 crores of the agricultural people of our country. Therefore, I do not at all appreciate the light mood in which the members have treated this Bill. Sir, this Bill arises out of some conclusions reached at a conference

of State Ministers of Agriculture and Co-operation on September 26, 1953, at New Delhi. The conference was called for the purpose of implementing some suggestions contained in the Five-Year Plan with regard to agriculture and specially with regard to the improvement of cattle population of India and the scheme that was supported at the conference was the scheme of starting some Key Villages or the Key Village Scheme of intensive cattle improvement.

[3-25—3-30 p.m.]

οf the recommen-Sir, some interesting as dations are asthey are important. The recommendations go far enough. My contention, Sir, is that the Bill does not go so far as that. And we would have been able to congratulate the Minister with greater enthusiasm if he had included in his Bill some of the other important recommendations made by the State Ministers' Conference on Agriculture and Co-operation. Sir, with your kind permission I would seek the privilege of putting before you the summary of the recommendations made by the Conference of State Ministers on Agriculture and Co-operation. In the first place, it was recommended that it would be necessary to enact legislation on livestock improvement and control of contagious diseases so as to enable the animal husbandry staff to carry out their development Theeffectively. recommendation was to pull the resources of pedegree bulls so that the deficit States may be able to obtain their requirements from the surplus States. In the third place, there was a proposal for the segregation of cattle simultaneously with the implementation of the Key Village Scheme to ensure better result. It was also recommended by the Conference that certain other measures should be adopted. But I would seek the privilege of putting those proposed measures before you, Sir, in proper time. With regard to the scheme that has been put forward by the Hon'ble Minister,

there is one very great difficulty. I am quoting, Sir, from the Statistical Abstract of West Bengal, 1950. That valuable document gives us figures up to 1945. Up to 1945 the total number of cattle in West Bengal was 8,055,698 and the total number of buffaloes 633,668. present scheme is directed to the improvement of bulls. Now, the difficulty is that in the statistics bulls and bullocks have been placed together under one category. Out of the total number of cattle, the number of bullocks and bulls put together is 3,021,791. Sir, the position, therefore, is that we do not know the number of bulls available in West Bengal as a whole. That is a very great difficulty. Possibly my friend Mr. Choudhuri was pointing to this difficulty. Practically bulls are non-existent in quite a large part of Midnapore now and villagers have got to travel about 100 miles in order to use a particular bull. This is due to the fact that the relevant statistics of bulls and bullocks have not been put differently. I do not know what is being done now. I have before me the figures of 1945. I would like to enquire if the bullocks and bulls are being separately indicated in the statistical abstracts these days. The difficulty is that we are out to improve the stock of bulls. How to improve it? We do not know the number and that is a difficulty to which I would like to refer to the Minister concerned. Sir, I do not want to enter into details at this stage, but I think, Sir, that though the Minister ought to be congratulated on this Bill, still his Bill does not go far enough, and this Bill will not, I am afraid, meet the purpose for which it is intended.

The Hon'ble Dr. Rafiuddin Ahmed: I will briefly reply to some of the points that have been raised. I quite agree with Dr. Chakrabarty and Professor Bhattacharyya with regard to cattle census. I am afraid they have not been able to look into our daily papers recently. In 1951 we conducted a cattle census all over West Bengal and the results were published in the

[The Hon'ble Dr. Rafiuddin Ahmed.]

Government

Gazette and also in some of the daily papers. It may be just possible that it has been overlooked. This report discussed this problem of cattle.....

[3-30-3-35 p.m.]

8j. Nirmal Chandra Bhattacharyya: When was it published?

Dr. Rafiuddin The Hon'ble Ahmed: It was published in 1952know the exact do not I shall give you but date afterwards. date the said already we have 1 crore cattle -in milk-13 lakhs; dry or sterile -20 lakhs; young stock-28 lakhs, draft and bulls including bullocks-30 lakhs; decrepit-10 lakhs (including old and useless animals). The problem is very acute. I have already stated we have I crore of cows and about 6 lakh buffaloes. As far as fodder is concerned, we all agree that fodder has got to be improved for keeping the cattle in good health but the problem can-not be solved unless and until we realise that in order to give sufficient food to each animal, the number of animals should be reduced. What is the quantity of milk that we get here from our cows? In Darjeeling, when I visited that place, I found one of the best cows giving 26 seers of milk per day for six months. If we do not get enough milk from the cows what is the good of keeping them? The point is that in order to improve the breed the suggestion that has been made will not go far. Sir, may 1 read out a very small quotation from a book on genetics which shows that this question of the improvement of breeding is agitating not only our minds but also like Australia, other countries, Argentine, Brazil, etc.

"Animal Breeding" by Dr. A. L. Hagedoorn, Chapter 14, page 90, on grading up. "The way to improve this is to cross females of the old breed with the males of the new me, to cross the hybrid females so

produced with males of the new breed and to continue this process. If we stop using males of the old breed and use only males of the new one a few generations of crossing will make the herd change over from the old level to the new. In four or five back crosses most traces of the old breed are lost and the herd consist of fairly representative members of the new breed." This can be done within 10 years. If other countries could do it, I do not see any reason why we shall not be able to do it in West Bengal provided we follow the scientific methods. As regards cattle census, referred to by my friend Sj. Nirmal Chandra Bhattacharyya, we are collecting the data and that is the reason why we have not been able to bring in a more comprehensive Bill. We would certainly like to have such a comprehensive Bill but in so doing we shall have to look to our society, we have to look to our people, we have to look to the ways of our life and all that. As Shri

Annada Prosad Choudhuri was just mentioning, we did not go far enough. When he comes to section 12, we will be able to meet his point. But that is also a stumbling block. Due to religious and other reasons some people would not allow to castrate the bulls in the notified regions. I think the time has come when the State should take powers and do this. Why the Linlithgow scheme failed was we were not able to get sufficient bulls in any scheme of animal improvement, and that is why it failed. Why the Bill has not gone far enough—I am afraid*I cannot quite agree with it, because we must hasten slowly. I could have brought out a much more comprehensive Bill, but I think I should move with the times. I think our people are getting scientific minded. I think I have answered all the questions that have been raised.

[3-35—3-40 p.m.]

Sj. Annada Prosad Choudhuri:

৩৭টি যোন কি বুঝতে পাচিছ না এবং কটা করে ঘাঁড়—বুল সেধানে থাকবে তাও জানতে পাচিছনা। The Hon'ble Dr. Rafluddin Ahmed: I wish I had the time to go into it. We want to increase—the zones are not sufficient. As I said, in the zones if a person has a "brahmani" bull we are not doing anything about it.

8j. Annada Prosad Choudhuri: What is the extent of the zone? How big is it?

Hon'ble Dr. Rafiuddin The Ahmed: If you will bear with me, I will satisfy some of my friends opposite. In 24-Parganas there are four zones—College Extension Wing, Tollygunge; Baraset—Amdanga area, Habra and Baruipur. In Nadia we have three zones-Haringhata, Bethuadahari area and In Murshidabad there are three—Beldanga-Berhampore area, Lalgola-Bhagawangola area Kandi. In Hooghly it is three —Chinsurah-Mogra area, Pandua area and Kanajhuli area. In Howrah there is one in Shayampur area. In Burdwan there are three— Kandra area, Gruskara and Rasulpur. In Birbhum there are five-Ahmedpur, Bolpur area, Mohammad Bazar, Nalhati and Md. Bazar-Rampurhat. In Bankura there are three-Ondagram area, Peardoba and Kankradara area. In Midnapore there are two-Jhargram and Belda area. In Malda there are two-Manickchak area and Gazal area. In Jalpaiguri there are three -Dhupguri area, Alipurduar area and Falakata area. In Darjeeling there are two-Kalimpong-Pedong area and Siliguri area. In Cooch Behar there is one. In West Dinajpur there are two-Hemtabad area and Balurghat area. These altogether 37 zones.

8j. Annada Prosad Choudhuri: How many bulls are there in one centre?

The Hon'ble Dr. Rafluddin Ahmed: 806 altogether, in these zones only.

Sj. Nirmal Chandra Bhattacharyya: Will the Hon'ble Minister kindly state if separate statistics of bulls and bullocks should be kept in future because the purposes to which they are used are different altogether? That is necessary.

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The Hon'ble Dr. Rafluddin Ahmed: We have got statistics.

The motion of Dr. Monindra Mohan Chakrabarty that the West Bengal Livestock Improvement Bill, 1954, be circulated for the purpose of eliciting opinion thereon by the 15th December, 1954, was then put and lost.

The motion of the Hon'ble Dr. Rafiuddin Ahmed that the West Bengal Livestock Improvement Bill, 1954, as passed by the Assembly, be taken into consideration, was then put and agreed to.

Mr. Chairman: There is not a single amendment to the clauses. Shall I put all the clauses together?

Sj. Nirmal Chandra Bhattacharyya: Sir, I would like to speak on clause 3 of the Bill.

Clauses 1 and 2.

The question that clauses 1 and 2 do stand part of the Bill was then put and agreed to.

[3-40—3-45 p.m.]

Clause 3.

Nirmal Chandra Bhattacharyya: Sir, regarding clause 3 it strikes me that it would be extremely unscientific on the part of Government to specify a particular area as an intensive area unless Government is satisfied as to the number of cows, draft bulls in the areas. So before steps are taken under section 3 I suggest that a census of the bulls in the area ought to be taken and then further steps may be taken. Under section 25 Government has power to make rules and I believe provisions to this effect may be made so that before actual steps are taken under section 3 statistics may be made available and Government can work on these statistics.

81. Satya Priya Roy: Unless these are effectively cordoned and controlled there is no meaning in introducing piecemeal some intensive areas.

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The Hon'ble Dr. Raffuddin Ahmed: What I like to point out is this. Our friends have not probably read that part of section 3 which says—"Where, in respect of any area within the State, the State Government is satisfied that the number of bulls in the area, which are fit to be certified as approved bulls under section 8, is sufficient to maintain the rate of propagation of the species, whether by natural breeding or by artificial insemination or by a combination of both methods." When we notify an area we know everything about that area—the number of bulls it has got and the number of cows which can be artificially inseminated. We can now inseminate 80 cows from one ejaculation of semen from a bull. This is a new weapon in our hand which we had not 10 years ago.

The question that clause 3 do stand part of the Bill was then put and agreed to.

Clauses 4-7.

The question that clauses 4-7 do stand part of the Bill was then put and agreed to.

Clause S.

Sj. K. P. Chattopadhyay: Sir, we find it stated in clause 8 that the Livestock Officer is to inspect and is to be satisfied whether it is a breed which it is desirable to propagate or is capable of being used, etc. The Hon'ble Minister has just given us a talk on genetics and read an extract from genetics. May I point out that by cross-breeding improvement can be effected not only in the production of milk and of draught animals but also in the quality of the meat. Since Parliament is going to pass an Anti-Cow Slaughter Act the question of meat goes out. With regard to the inspection I find no indication as to whether due attention will be paid

to different qualities of breeds that will produce good draft animals and good milch cows. Then again there are different strains of cattle in our country. Some of the strains of cross-breeds are not suited to this State. We have from experience as private individuals who have maintained cattle for milk purposes at home found that cattle brought from other areas—big cattle—do not always flourish well in this Province. Also crossing with foreign strain or with other strain unless carefully selected do not always produce satisfactory results.

[3-45—3-50 p.m.]

Now is the Livestock Officer to be such a great expert that he will be able to inspect and judge all this? Has the Minister made sufficient provision for taking care that the inspection will be of a satisfactory kind and it will result in good, not in harm? That is all I want to draw his attention to.

The Hon'ble Dr. Raffiuddin Ahmed: I will briefly answer this. As far as West Bengal is concerned, all our experts are of opinion that a dual purpose breed would be most suitable. There is one Hariana breed which will be most suitable for the plains but at the same time in certain regions, we have got another kind which gives much better milk. If you go a little above 1,000 ft. in the Himalayan region, there is a special native Siri breed, which is eminently suitable for that area. So, it is for the experts to determine as to which particular breed of cattle should be propagated in any particular region. As far as Livestock Officer is concerned, I can assure the hon'ble members that the officer will be a Veterinary Graduate plus he will have instruction in livestock breeding. He will probably have a dairy diploma so that he will be certainly an efficient officer before he is put in charge of a notified area.

The question that clause 8 do stand part of the Bill was then put and agreed to.

Clauses 9-25.

The question that clauses 9-25 do stand part of the Bill was then put and agreed to.

The Hon'ble Dr. Rafiuddin Ahmed: Sir, I beg to move that the West Bengal Livestock Improvement Bill, 1954, as settled in the Council, be passed.

8j. Nirmal Chandra Bhattacharvva: In this connection would like to point out that the Bill, so far as it goes, is a very desirable one. But there are certain aspects of the problem which have not been included in the scope of the Bill. I am thinking at the present moment of the fodder prob-Between $_{
m the}$ months December and July, the fodder problem assumes very huge proportions, and it is therefore desirable that some steps are to be taken in the specified area for the storage of todder, for increasing the acreage of grazing land and also for the economical use of available fodder. I would suggest these three steps to be taken in connection with the creation of these intensive areas. If we want to make the utmost use of the bulls, if we really think of improving the cattle population in the intensive areas, it is necessary that along with the measure that we have before us we ought to have also provision for storage of fodder, for economic use of available fodder, and also for the extension of grazing land. In the absence of these three measures, I feel that the purpose of the Minister will be partially defeated.

Dr. Monindra Mohan Chakrabarty: I also pointed out these problems mentioned by Professor Bhattacharyya. I particularly propose that those owners of cattle, who cannot provide for fodder, should be supplied with fodder from Government stores or in the alternative Government can sell them fodder in times of distress and the cost can be recovered in easy instalments. Some such provision should

be there. And I think the Minister will agree with me that the fodder problem is very acute.

The Hon'ble Dr. Rafluddin Ahmed: I quite agree with the hon'ble members—that the fodder problem in our State is acute. There is absolutely no question of denying this. We have in our State about one crore of cattle. This is something that is unthinkable in any other country. Just compare this figure with the United States of America. Their country is much more prosperous than ours. We have all over India about 20 crores of cattle and they have 41 crores. They make every kind of milk products, such as powered and con-densed milk, butter and cheese and export to us. How can they do it?

[3-50—3-55 p.m.]

Because they have less number of cattle and feed them well. I know it for a fact, Sir, that a goala (milkman) in one of our districts has 60 cows and when I asked him how much milk he gets he said ten seers and on my asking him why then he was keeping so many when he gets only ten seers of milk, he said he kept them for cowdung only. Now, Sir, no amount of legislation will change this sort of attitude. No legislation will help us. We must preach to them that more fodder is necessary, they must produce double crop so that the fodder can be sufficient for all months of the year and not for four or five months only. So all these social works are necessary. Professor Bhattacharyya has pointed out about the lands lying fallow and has asked us to grow fodder on them. We have seen how people who have no lands have their cows trespass into the fields belonging to others. We have to do all these things by social persuasion. If methods of persuasion fail, we shall try to make them understand the use of double cropping which is absolutely necessary. We must absolutely necessary. lessen our cattle and feed them well. We all admit that fodder is necessary and tree-fodder is necessary and our scientists are working

Hon'ble Rafiuddin 1)r. {The Ahmed.]

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on it and in course of time we may be able to have tree-fodder. Sir, we have perhaps no idea how much the price of a bull can be. Recently a bull was exported from England to Australia the price of which was Rs. 1½ lakhs whereas we can get a bull at a maximum price of Rs. 2,000.

The motion of the Hon'ble Dr. Rafiuddin Ahmed that the West Livestock Improvement Bengal Bill, 1954, as settled in the Council, be passed, was then put and agreed

The West Bengal Alienation of Land (Temporary Provisions) Bill, 1954.

The Hon'ble Satyendra Kumar Basu: Sir, I beg to move that the West Bengal Alienation of Land (Temporary Provisions) Bill, 1954, as passed by the Assembly, be taken into consideration.

Sir, it had been brought to the notice of the Government that owing to economic distress prevailing in the country, particularly in the Sundarbans, from January, 1951 to November, 1953, small or petty holders of lands had sold their holdings with the result that lands have accumulated in the hands of noncultivating persons. We are now introducing land reforms in the State and it is desirable that permanent benefits should be given to the cultivators who have lost their lands. We want that lands should be restored to their previous owners. You are They are cultivators. aware that as a result of the famine in 1943, there was a large number of such sales, and in 1944 an Act was passed for giving relief to the cultivating owners who had lost their lands. The present Bill has been drafted on the lines of the Act of 1944. I shall briefly tell you the principal provisions contained in the Bill. The period of distress has been defined to be the period from 1st January, 1951 to 30th November, 1953.

[3-55—4 p.m.]

If during the period of distress any person has sold his land for a consideration up to Rs. 550 and if he applies before the 31st December, 1954, for setting aside the sale, the Collector may make an order.

Mr. Chairman: You please confine yourself to general observations. You can speak on the clauses later on.

The Hon'ble Satyendra Kumar Basu: Sir, I am giving an idea as to the nature of the provisions to help the members.

Si. Nirmal Chandra Bhatta. charyya: That is very helpful so far as we are concerned.

The Hon'ble Satyendra Kumar Basu: Such a person may apply to the Collector and the Collector may make an order for the restoration of the land to the transferor upon payment of the consideration money by instalments. Where the property is sold before or after the order is made in execution of a decree against the transferor, the whole amount is to be deposited and payment is to be made to the attaching creditor and the property is to be restored to the transferor. In the case of a mortgage or a lease, payment will be made to the mortgagee or the lessee and, if there is surplus money available, such surplus to the transferee. Where there is a sale in execution proceedings against the transferor, he has to pay the balance of the consideration. The order shall take effect on the following first of Baisakh. There is also a provision that the property will vest in the transferor from the date of the order. There is a further provision that the Collector shall be entitled to eject the transferee and place the transferor in possession of There is a further the property. provision for revision by the District Judge, and there is a clause which bars the jurisdiction of the Civil Court.

Sir, these are the principal provisions of the Bill.

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Dr. Monindra Mohan Chakrabarty: Sir, I beg to move that the West Bengal Alienation of Land (Temporary Provisions) Bill, 1954, be circulated for the purpose of eliciting opinion thereon by the 30th October, 1954.

Sir, the Bill is sought to be enacted for the restoration of certain lands to persons alienated between January, 1951 and November, 1953, in consequence of the prevailing economic distress. Sir, the object of the Bill is good, but there are some features which render the good effects of the Bill inoperative in the case of a large number of those for whose benefit the Bill is being brought. In section 4(1) the value of the land transferred has been fixed at an upper limit of Rs. 550. This limit is very low when we consider that there are several reasons for which the apparent valuation during a transfer of land is fixed at a high rate, namely, first of all to avoid pre-emption right \mathbf{of} - co-sharer under the Bengal Tenancy Act, secondly to avoid future litigation over this property which will involve payment of court-fee at a high rate, and then to make repayment impossible even if there is an agreement. It is desirable therefore to raise the upper limit of the amount and I have tabled an amendment to raise the amount to Rs. 1,200.

The next point is with regard to the last date of application by the transferor which has been fixed to be the 31st day of December, 1954. The time is very insufficient. Since our illiterate peasants will not be able to know the provisions of the Bill the time limit should be extended by another year. Even in a previous legislation, I mean the Bengal Alienation of Agricultural Land Act of 1944, that Act came into force after nearly one year on 4th January, 1945. Some more time should therefore be given for the dissemination of knowledge about this Act amongst our peasants who are illiterate.

[4-4-5 p.m.]

First day of Baisakh next following the date of order. It will be hard for the poor peasants to arrange for the payment if the order is made on the 28th of Chaitra that he has to make his first payment on the 1st of Baisakh. I think at least three months' time should be given to commence his first payment. I very much regret the omission of the beneficial provision contained in the earlier Λct of 1944 Under this Act a transferor has got to satisfy the Collector that he was not able to maintain himself and his family except by making such alienation of land. Under the old Act of 1944 it was provided that when an application is made the Collector shall, for the purpose of clause (b) of sub-section 4(3), presume such statement to be correct until the contrary is proved. Even the League Government provided for such a safeguard. I think this feature should be retained. I shall therefore propose an amendment to this effect.

I should like to say something regarding giving powers only to the executive branch of the administration and not to the judicial branch for executing the provisions of this Act. Under the Bengal Agricultural Debtors Act and the Thika Tenancy Act the Munsifs have been empowered to administer justice to those who seek relief. There is no reason why in this case also the Munsifs should not be given the power to redress grievances.

My last point is—why this temporary provision. The economic conditions of the people are wretched. Even in good crop year such transfer of land takes place. So there should be a permanent provision like this till the economic conditions of the people have improved.

Sj. Nirmal Chandra Bhattacharyya: Mr. Chairman, Sir, the Hon'ble Minister deserves our thanks for having introduced a Bill of this nature. While introducing the Bill he referred to the Act of 1944. I would like to point out

[Sj. Nirmal Chandra Bhattacharyya.]

most respectfully to him that his Bill—the Bill that he has presented to the Council today—is materially different from the spirit of the Act of 1944. Under the Act of 1944 the onus of proof lay on the transferee but under the present Act the onus of proof lies on the transferor. That makes a wide difference.

[4-5-4-10 p.m.]

The poor ignorant people, the village agriculturists, will not be able to satisfy the Collector on most occasions that he was compelled to part with his land because of the pressure of economic distress. It is a very difficult point to prove. It is for this reason that I think that this Bill is materially different from the Bill that was introduced in 1944 and that we have passed into an Act. Sir, in 1943 there was a great famine in Bengal, and that famine necessitated the Act of 1944. In Sundarban area and in certain other areas, the distress really equalled the distress of the people in 1943 all over Bengal. And it is therefore desirable that the same principle ought to be followed. I hope, Sir, that the Minister will take this into consideration and try to bring this Bill in line with the Act of 1944. If he does so then he will perhaps require that the transferee must prove that the land was transferred under certain conditions. The onus should not lie on the poor person, who was compelled, for the sake of maintaining himself and his family, to transfer his land to the transferee

Janab Abdul Halim:

মি: চেমাবম্যান, স্যার, মাননীয় বাজস্ব মন্ত্রী
সত্যেক্ত কুমার বস্থ সহাশম, আমাদের পশ্চিম বাংলার
কালাটভেসন অফ ল্যাণ্ড সম্পর্কে যে বিল এনেছেন,
সেই বিল আনার ধুবই পুযোজন ছিল। কাবণ ১৯৫০
সাল থেকে ক্রমানুয়ে বাংলা দেশে দুভিক্ষ হওয়ার
ফলে বহু, হাজার হাজার লোক জমি বিক্রয় করতে
বাধ্য হয়েছিল। সেই সময় গরীব কৃষক তাদের
জীবন ধারণের জন্য, তাদের নিজেদের সমস্ত ক্ষেতীক্রমি, চাথের জমি বিক্রয় করতে বাধ্য হয়েছিল এবং তারপর থেকে তারা বহু কটে দিনযাপন করছে।
এবন গভর্ণমেণ্ট তাদের প্রতি স্থবিবেচনা করে দে
বিল এনেছেন, যদিও এটা একটু বিলম্বিত হয়েছে,
তথাপি এটা খুব স্থবের বিষয়। কিন্তু এই বিলেব
মধ্যে কতকগুলি ব্যবস্থা সম্পর্কে আমাব কিছু বক্তন্য
আছে।

১৯৪৩ সালে যথন বাংলা দেশে দুভিক্ষ হয়েছিল তখন সুন্দরবন অঞ্জে হাজার হাজার লোক এই দভিক্ষের কবলে পড়ে মারা যায় এবং তাব ফলে বৃহ লোকেব জমি জমিদারের হাতে চলে গিয়েছিল। তাবপৰ ১৯৪৪ সালে যে বিল পাশ হয়, সেই বিলেব পভিসন অনসারে জমি ফেরৎ দেবার ব্যবস্থা হয়েছিল। কিন্ত, বর্ত্তমান বিলে সেরকম কোন প্রভিসন নাই। এখানে ১৯৫১ শালের জানুয়ারী থেকে ১৯৫৩ সালেব নভেম্বৰ পৰ্য্যন্ত এই বিলেব পিরিয়ত ঠিক করা হয়েছে। আমার মতে এটা আবও বাড়িয়ে (प'3मा উচিত। স্থলববন प्रकल ১৯৫০ সালে যে ভীষণ বন্যা হয়, তার ফলে সেখানে ভীষণ আকাবে দভিক্ষ দেখা দেয় এবং তখন সেখানকার বহু লোক তাদের জমি বিক্রয় করতে বাধ্য হযেতিল। কাজেই ১৯৫০ সাল পর্যান্ত সকলকে বেহাই দেওয়া উচিত। তারপর ৫৫০ টাকার উর্দ্ধে যাদের জমি বিক্রয় হয়েছে তাদের টাকা ফেবৎ দিলে তাবা জমি পাবে। কিন্তু, সে ক্ষেত্রে বিবেচনা কবা উচিত, যে দেখা গিয়েছে प्यत्नक गमग्र याता महाक्षरनत काएक अभि विक्रय কবেছে তাদের কাছ খেকে ৫৫০ টাকার চেযেও অনেক বেশী দিয়ে জমিব কবলা লিপিয়ে নিযে জমি বিক্রয় করতে তাদেব বাধ্য কর৷ কাজেই সেই সমস্ত জমি তাদেব পক্ষে প্রমাণ কবা অসম্ভব, এবং তাদেব টাকার পবিমাণও ঠিক কবা অসম্ভব। সেই জন্য এখানে অনেকে য়্যামেণ্ডমেণ্ট मिरा वत्निष्ठिल थोता ३.२०० होका कवा दशक। এটা যদি তাঁবা মানতে রাজী না হন, তাহলে অন্ততঃ आमात्र ग्राटमध्रतमण्डेठे। त्मरन निन्। आमात्र मरन इग्र এখানে অন্ততঃ এক হাজার টাকার উপব বৃদ্ধি কর[া] উচিত। দিতীযত, জমি বিক্রয় কববার সময় ১৯৫৪ সালের ৩১শে ডিসেম্বর পর্যান্ত বলা হয়েছে, সেখানে আমি মনে করি এই সময়টা আরও বৃদ্ধি করে দেওয়া উচিত ছিল। কারণ তা না হলে সেই সময়ের মধ্যে চাষীরা তাদের টাকা জমা দিতে পারবে না।

তাছাত। কিন্তিবন্দি হিসাবে টাকা দেবার যে ব্যবস্থা আছে, সেই দশ কিন্তির জায়গায় আমার মতে কুড়ি কিন্তি করা উচিত।

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তাছাড়া কিন্তিবলী হারের যে ব্যবস্থা আছে তাতে ১০ কিন্তি না করে অন্ততঃ ২০ কিন্তির ব্যবস্থা করা ইচিত। তাছাড়া জমি যারা ইমপু্রুভমেণ্ট করেছে এই বলে একটা কল কবে বেঝে দিচেছন যাতে জমি যাবা কিনেছে তাবা যেন পুমাণ করতে পাবে যে জমি তাপের। জমিতে যে ফসল হমেছে তা তারা তোপ করেছে, অনেক টাকা পেমেছে, কাজেই যে টাকা দিয়ে নিয়েছিল সে টাকা তাবা পুায় পেযেই পেছে—তাব জন্য তারা আবার স্কদ বা ইণ্টারেই পেতে পাবে না। কাজেই সেধানে স্কপের ব্যবস্থা থাকা উচিত নয়। সে জন্য বলছি যে চামীর পক্ষেদা দিয়ে জমি কেরও নেওয়া সম্ভবপর হবে না—এই সমস্ত ক্রটিবিচুতি যা বিলে রয়েছে সেওলি সংশোধন কবা উচিত।

[4-10-4-15 p.m.]

Si. K. P. Chattopadhyay: Sir, 1 am glad that a Bill of this type has been brought before this House with good intentions; but, Sir, as has been said, good intentions alone will not soak the "chira" (parched rice), and we have to consider how far the Hon'ble Minister will be able really to do what he proposes to secure by passing this Act. He has referred to the Act of 1944 which was brought into existence as a result of public agitation—an agitation in which some of us also took part as we knew then the condition of the country. Sir, the main provision seems to be that those who have been compelled to sell their lands due to distress in certain years shall be entitled to get them back by payment of the price in 10 instalments subject to certain limitations. But, Sir, who are the people who had been compelled to sell their lands? Since the Hon'ble Minister has referred to the famine of 1943, I shall mention some figures. Prior to 1942 the rate of sale of agricultural lands, mainly due to proverty, as revealed by figures obtained in connection with the survey carried out by me at the time, from the records of the Inspector-General of Registration, was I per cent, of the total land per annum and during 1943 due to distress the figure jumped to 3 per cent. per annum. The survey carried out by the Indian Statistical Institute

some time later in 1945-46 shows that although the famine had passed away and the Act of 1944 had been in operation and various other measures were taken, the rate was 11 per cent, on an average. That shows that the condition of distress which led to the sale of lands persisted and the Act was ineffective. I find that this Act is to operate in different parts of Bengal wherever there has been distress and possibly in Jalpaiguri also which was visited by the Hon'ble Minister and other members of their side and saw the devastation there. point is this: in many parts of West Bengal the distribution of lands has been extremely of the jay-shape, only a small number of the people have got a large share of land whereas a large proportion of cultivators have very little or are land-less. In 1944 70 to 80 per cent. persons in most districts owned less than 2 acres-I am speaking from memory. This is true about Contai in Midnapore.

There may be slight mistakes. But 1 think 80 per cent, have 2 acres or less. In 24-Parganas in some areas the percentage is somewhat lower. In the other areas of Bengal, however, the limit is somewhere between 60 to 65 and 80 to 85 per cent. Now it is held that 5 bighas of laud are the minimum needed for the comfortable existence of a family -good land—I do not mean arid land. Two acres allow you just to make a hand to mouth living-somehow keeping body and soul together. In these circumstances, even the slightest distress, a little failure resulting in 10 annas instead of 16 annas or 14 annas of crop will lead to indebtedness, and this indebtedness goes on increasing. The result is that eventually the land is sold. As soon as a slight peak in distress comes-the distress is chronic like malaria in most parts of Bengalthere is sale. How are these people going to repurchase the land? It had been suggested by some of us -as a matter of fact I published in

Government

[Sj. K. P. Chattopadhyay.] a report entitled "Plan for rehabilitation in Bengal"-that the only way is for the Government to take over the land and then allow the people to cultivate on a co-operative basis, so that you can actually improve the crop and carry out the various ideas of "Grow More Food" campaign on increased crop production on modern lines. Unless you adopt these and certain other allied measures I am afraid you will not be able to give much benefit to the cultivators. I would like to know whether the Hon'ble Minister has any statistics as regards the amount of benefit which the Act of 1944 actually conferred, because after all unless you have the data you cannot do much good merely by repeating the dose of the same mixture. I am sure our Hon'ble Chief Minister had not been in the habit of prescribing the medicine the effects of which he did not know previously. I would like to request the Hon'ble Minister to consider these suggestions as to whether land can be taken over by Government by advancing money—whether it would be a sort of charge upon land or in whatever manner that is to be secured, that should be decided. I am merely pointing out that unless such steps are taken this Act would be completely ineffective in giving real relief. Unless he does something on those lines or tries to find how actually to benefit the peasants, this will be just a repetition of the old thing which was equally ineffective. That is what I wanted to point out.

[4-15—4-20 p.m.]

Si. Annada Prosad Choudhuri:

মাননীয় সভাপতি মহাশয় এই যে বিল আমাদেব সন্মুবে উপস্থাপিত করা হয়েছে সে সম্বন্ধ আরও কার্য্যকরী করার জন্য ২।এটি বিষয়ে সরকারের দৃষ্টি আকর্ষণ করতে চাই। ২নং ধারার এনং উপধারায় যে পিবিয়ড অফ ডিপ্ট্রেসএর কথা বলা হয়েছে—

Mr. Chairman: Please try to be relevant.

The Hon'ble Dr. Bidhan Chandra Roy:

সেই সম্পর্কে সংশ্লিষ্ট ধারা বখন আসবে তখন বলবেন। This is a circulation motion. Clauses will be open for discussion at the appropriate stage. At that time you may say all these. It will be easier for the Minister to take notes then.

Sj. Annada Prosad Choudhuri: স্যার, কতকণ্ডলি প্রেণ্টেএ আপত্তির জন্য এটা সাবকুলেসনএ দেবার জন্য পুস্তাব করা হয়েছে। এই বিলের সব প্রেণ্ট যদি ঠিক ঠিক হত তাহনে সার্কুলেসন পুস্তাব আনা হত না। কিম্ব কিছু কিছু আপত্তি, কোন কোন প্রেণ্টেএ আপত্তি আচে তাই এখানে সার্কুলেসন পুস্তাব এসেছে।

Mr. Chairman: You speak of the Bill generally.

Sj. Annada Prosad Choudhuri: I was going to mention three points.

The Hon'ble Dr. Bidhan Chandra Roy: But you are talking of clauses and sub-clauses.

Sj. Annada Prosad Choudhuri: But the clauses relate to certain things. Is there anything wrong if I mention that in a particular clause such and such a thing has been mentioned and therefore it should be rectified?

Sir, I want to mention certain things to make it more precise. These things are mentioned in clause 3.

Mr. Chairman: Now, it is quite up to a member to discuss the general principle.

Sj. Annada Prosad Choudhuri: If I were not interrupted probably I could have finished by now. I was just going to mention three very salient and short points—one about the period of distress. If the Government accept my point of view the question of circulation will not arise.

স্যার, এখানে তিন নম্বর উপধারার বলা আছে পিবিয়ত অফ ভিট্টেস--এতে সরকাবই হিসাব করে নিয়েছেন যে ১লা জানুযারী ১৯৫১ সাল থেকে ৩০শে নবেম্বর, ১৯৫৩ সাল পর্য্যন্ত চাদেব, আবাদের, ধান কাটার আগে পর্যন্ত পিরিয়ত অফ ভিট্টেস ছিল। তারপরে সেই ভিট্টেস ছিল না। কিন্ত আমি জনুরোধ করি সরকার একটু বিবেচনা করে দেখুন এই পিরিয়ত

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অফ ডিষ্ট্রেস এটা ধান কাটাব পবেও বাড়িযে দেওয়া যায় কি না ? অর্থাৎ ধান কাটার পরের বৎসব চাঘ করবাব সময় পর্যান্ত——যদি বৈশার পর্যান্ত করে দেওয়া হয়, তাহলে সবকারেব পক্ষ থেকে তাতে কোন আপত্তি থাকতে পাবে না, এবং ভার হাবা এই বিলেব গানিকটা অস্ক্রবিধাও দর হতে পাবে।

আব একটা বিষয় এই বিলেব মধ্যে আছে, য। আমাব পূৰ্ববৰ্ত্তী ৰক্তাৰা উল্লেখ কৰেছেন--যেখানে লোকে অভাবে পড়ে ভাদেব জমি বিক্রয় কবতে नांश इत्याह, তात्क शिर्य कलक्रेनत्क मञ्जूष्टे कवर्र হবে যে মতাই মে অভাবে পড়ে ছমি বিক্রম করেছে। कार्डिंग्डे वर चार्ल १५८८ गाल य चारेन रय, তাতে ছিল কোন লোক যদি অভাবগ্রস্থ না হয়, তাহলে যেখানে আৰু অন্য কোন মন্ত্ৰ আৰোপ কৰা যাবে বি না গ মধাৎ যে লোক জনি ক্রয় করেছিল स्म इनकाम हो।ता एस्य किना, स्म इडेनियन तो (मय कि ना. छात गांगाङ्गिक '७ प्रथरेनिक शिंकि কি বকম ? সেই সব যদি বলা যেত, তাহলে বঝতাম। যে লোক সতাই অভাবে পড়ে জমি বিক্রয় করেছে. সেই লোক কলেকবএৰ কাছে কি কৰে সন্থষ্ট কৰতে পাবে যে যে যতাই অভাবে পডেছে বলে, তাকে জমি বিক্রণ কৰতে হুমেছে। ততীয় আৰু একটা কখা, জমি যখন যে ফেবং পালে তখন তাকে জমিব দাম কিন্তিবন্দী হিসাবে দিতে হবে। কিন্তু এই কিন্তিবন্দী, চতুর্থ ধাবাব শেঘ প্রোভাইসোব মধ্যে चार्छ य गर्भन करन्क्रेन चछान निरम छान होकाव পবিমানটা ধার্যা কবে দেবেন

"not later than the 1st day of Baisakh next following the date of the order".....

এই জায়ণায় যদি সময়টা একটু বদলে দেওয়া হয়
যে এই অর্ডান দেবার এত নাস পরে হরে, তাহলে
এই ১লা বৈশাপ অর্ডারএর পরে --১৫ দিন, বা
১ মাস, বা চাব নাস সময় তারা পেতে পারে।
কাজেকাজেই সতি্য সতি্য যে উদ্দেশ্য নিয়ে এই
বিল আনা হয়েছে, সেই উদ্দেশ্যকে যদি কায়্যকরী
ও সার্থক কবে তুলতে হয় তাহলে যে সমস্ত লাক
এর হারা য়্যাফেক্টেড হবেন, তাদের যে সমস্ত অস্থবিধা
আছে সেগুলি দূর করবার জন্য বিলে এই যে বিধান
আছে একে পবিবর্ত্তণ করে, আরও ব্যাপক করে
তুলতে হবে। দরিদ্র কৃষক, চামী যাবা অতাবগুম্ভ
হয়ে তাদের জমি বিক্রম করতে বাধ্য হয়েছিল,
তাদের পক্ষে যদি এটা স্বার্থপোরোগী করে তুলতে
পারেন, তবেই এই বিল সত্যি সত্যি কায়্যকরী
হবে।

[4-20—4-25 p.m.]

Sj. Rabindralal Sinha:

माननीय পবিষদপাল মহোদয়, আমি পুথমেই লক্ষ্য কৰেছি, আমাৰ বিবোধীপক্ষীয় মাননীয় বন্ধগণ এই বিধায়কেৰ বুলনীতি সমর্থণ ক্রেছেন এবং এই বিধায়ক বিধানম গুলীতে উপস্থিত কনবাৰ জন্য মাননীয় বাজস্ব মন্ত্ৰীকে অভিনন্দিত কৰেছেন, তাতে আমি ৰুসি হযেছি। তাব সক্ষে আমাদেৰ বন্ধ ডাঃ मनीत्म नाथ চক্রবঙী মহাশ্য বভ্যান বিধাযককে জনমত নিদ্ধাবণেৰ জন্য প্রচাবের যে প্রস্থাব কৰেছেন তাতে আমি আশ্চর্য্য হইনি। কেন আশ্চর্য্য হইনি. তাৰ কাৰণ হচেছ, জনমত নিৰ্দ্ধানণেৰ জন্য প্ৰচাৰের প্রস্তাব এই জনাই হয়, স্বকারপুক্ষ খেকে এ বিল উপস্থিত কৰা হয়েছে বলে। যে হোত সৰকাৰপক থেকে এই বিল উপস্থিত কৰা হনেছে, ভাই জনমত নিষ্ধানণেৰ জন্য পুচাৰেৰ যে চিৰাচৰিত প্ৰথা আছে, এক্ষেত্রেও তার। ব্যতিক্রম হয়নি। বিবোদীপক্ষেব বন্ধুরা জানেন তাবা জনমত পতিধ্বনিত কবেন না, সেইজনাই তাবা মনে কবেন আমবাও জনমত পতিধ্বনিত কবি না: সেটা ভণ কথা। আমৰা জনমত পতি-ধ্বনিত কবি এবং জনমত কি তা জানি। ভাছাড়া এ সম্পকে জনমত নিদ্ধানণের জন্য বিলেব প্রচারের কোন আবশাক হয় না। কবিণ ছান্ত্ৰি **যঙ্গে** विवायतकत मजनीिं जिन अविक्य आहा । या विनायक ১৯৪৪ সালে গখীত হযেছে, তাৰ মুন্নীতিৰ **সঙ্গে** शाशाबन गान्टघर श्रीतिष्य चाट्छ। त्य शाशावन मानुष स्मिन मे निवासकरक मार्गन करनिवत, योज 3 ठाना তা সমর্থণ করে। স্কুতবাং এই যে জনমত নির্দ্ধাবশের জন্য প্রচাবের যে প্রস্তাব করা হযেছে, ভার কোন মৌজিকতা আছে বলে অনুভব কবি না। এব এক-মাত্র য ক্তি হচেছ বিধায়ককে আইনে প্রিণত কবতে বিলম্বিত কবা। তাঁবা জানেন এই সমস্ত জনহিতকর विभागक यमि अविनाम आहेरन পविभाग हम, छाहरल সাধানণ মান্য এই কংগোস স্বকারকে সমর্থণ ক্রবেন, আনীর্বাদ করবেন এবং বিবোধীপক্ষেব পায়ের তল। থেকে মাটা সরে যাবে। সেই জনাই তাঁদেব একমাত্র চেষ্টা হচেছ যাতে কৰে এই বিধায়ক আইনে পরিণত না হয়। সেই জন্য তাঁর। জনমত সংগ্রাথে পুচারের जना প্রস্তাব উল্থাপন করেছেন।

তাবপর এই বিধায়কের মূলনীতিব দিক দিয়ে বলতে গিয়ে জনাব আব্দুল হালিন সাহেব বলেছেন

—যে জমি ভোগ করছে, যে জমির উপস্বয় গ্রহণ করেছে তাতেই টাকার হুদ ও জমি উনুতি করার বরচ সব কিছু শেষ হয়ে যাওয়া উচিত, সব টাকা উত্বল হওয়া উচিত। তবে বিধায়কের বিধানাবনী

[Sj. Rabindralal Sinha.]
লক্ষ্য করলে দেখতে পাবেন যে সেই বিধানাবলীর
মধ্যে সেই ব্যবস্থা আছে। তিনি উপস্বত্ধ যেটা লাভ
করেছেন, তার প্রাপ্ত স্বত্ধ হিসাব করে দেখা হবে
এবং হিসাব করে যেটা বাদ দেওয়া উচিত সেটা
বাদ দেওয়া হবে। এই কথা বোধ হয় হালিম সাহেব
লক্ষ্য করেন নাই।

[4-25-4-30 p.m.]

তাবপৰ আৰো কতকগুলি কথা বলেছেন। একটা इटाइ निशायक शिनियक प्यक छिटहेन त्य नमग्रोतन কথা বলা হয়েছে, সেই সময়টা আবও বাডিযে দিতে চান। এটা সর্বজনমীকৃত যে ১৯৫৩ সালে বাংলা দেশে পুচুৰ ফসল ফলেছিল। কাজেই এই পিৰিয়ভ षक डिट्ट्रेम ১৯৫৩ मान भर्याष्ठ वाड़ित्य नित्य यावान কোন কাৰণ নাই। তাছাড়া প্ৰত্যেক মানুষেব একটা স্বার্থের পুশু আছে। একজন মানুষ জমি বিক্রী करतरह्न; जात এक जन राष्ट्रे श्वर अर्जन करतरहन। শাধারণতঃ শেই অজিত স্বত্বের কোন ব্যতিক্রম ঘটান উচিত নয়। সাধাৰণ মানুঘেৰ, শুণু ব্যষ্টিৰ কল্যাণে নয়, সমষ্টির প্রয়োজনেও সমষ্টির কল্যাণ ছাড়া কোন ব্যতিক্রম ঘটান উচিত নয়। স্বতবাং এটক তাদের বোঝা উচিত যে আইন তৈবী কববাব সময অত্যন্ত সাবধাণতাৰ সঙ্গে অগ্ৰসৰ হতে হবে। অতএৰ আজকে যে জমি খরিদ কবেছে, তাব হাতে অন্যেব জমির স্বয় হস্তান্তর হয়ে গিখেছে। সমস্ত জিনিঘের মধ্যে একটা অহিব ব্যবস্থা থাকবে, মানুঘ মতিহিব করতে পাববে না। তার ফলে তাবা কোন সেটল্ড ব্যবস্থ। করতে পাববে না এবং তাতে কবে গ্রামে গামে ক্রেডিট ষ্টাকচারএবও ক্ষতি হবে। কাছেই এটা কবণীয় বলেই কবা হচেছ, এই সময়কে বাভিয়ে **দিলে ক্ষ**তি হবে। একটা নিদিষ্ট সময়েব মধ্যে এব সীমা বেঁধে দেওয়া উচিত এবং এব মধ্যে এই ব্যাপাবেৰ একটা চৰম ফ্যুসালা হয়ে যাওয়া উচিত। স্মুতবাং সেই দিক থেকে বলতে পারি এব ব্যবস্থা এই বর্ত্তমান বিধায়কের মধ্যে আছে।

আর একটা কথা আছে। কালের্টরের উপর
যে ভার দেওয়া হয়েছে, সেটা দেওয়ানী আদালতে
দিলে হতা। সেধানে মুনেস্ফ্রা যে রকম ব্যবস্থা
করতো, তাতে অত্যন্ত বিলম্ব হ'তো। এটা দেওয়ানী
আদালত সম্বন্ধে অভিক্রতাসম্পানু সকল মানুষই তা
জানেন। ববং কালেক্টবের কাছে দিলে এই কাজটা
তাড়াতাড়ি শেঘ হবে এবং এই কাজ তাডাতাড়ি
হওয়া অত্যন্ত পুয়োজন। এই দেওয়ানী আদালতের
কাছে দিলে এই বিলের আসল উদ্দেশ্য বার্থ হয়ে
যাবে। যদি বিভিউ করা পুয়োজন হয়, সেই জন্য

জেলা জজের কাছে আপীল করবাব ব্যবস্থাও এধানে রাধা হয়েছে। সেধানেও সে জুডিসিমাবীর হাতে গিয়ে পড়ছে। স্থতরাং সেদিক দিয়েও বুঝতে পারি না কেন তাদেব এ ব্যাপারে আপত্তির কারণ ঘটছে। কাজেই সর্বদিক দিয়ে বিবেচনা করলে দেখা যাবে, এ আপত্তি নিরর্থক।

তারপর আর একটা কথা---এই প্রমাণের ভার সম্বন্ধে। সেই কথাটা নিয়ে বিশেষ বিতণ্ডার স্টাষ্ট হয়েছে। মাননীয় অনুদা প্রসাদ চৌধুবী মহাশয় বলেছেন, যে জমি সে বিক্রী করেছে সেই জমি সে ফেরৎ চায়, তার নিজের মুখের কথা ছাড়া, তার ইউনিয়ন বেটু, তার পারিপাশ্রিক, সামাজিক ও অর্থনৈতিক অবস্থা, এই সমস্ত ছাড়া আর কি হতে পারে। সেই সমস্ত কালেক্টরেব সামনে দেখিয়ে বলতে হবে, তার সাক্ষ্য প্রমাণ দিতে হবে। তাব ইউনিয়ন ৰোৰ্ড হতে রসিদ দাখিল করতে হবে, তার কি অবস্থা ছিল তা প্রমাণ কবতে হবে। হয়ত তার নিজের মূখেব কথাই যথেষ্ট হতে পাবে অথবা অন্য সাক্ষীও আনতে পারে। যে দুরবস্থায় পড়ে জমি বিক্রী করলো সে ছাডা আর কে পুমাণ করতে পাৰবে যে তার অভাবেব জন্য সে জমি বিক্রী করতে বাধ্য হয়েছিল। স্কুতবাং এদিক খেকে প্রমাণের ভার যে ফিরে চাইছেন তার উপর দেওয়া হযেছে--সেটাই স্কুষ্ঠ এবং সমীচীন হয়েছে এবং এটা নীতিসঙ্গত হয়েছে, অতএব সকল দিক খেকে এই বিধায়কেব মল নীতি সমর্থণ না করাব কোন কারণ নাই এবং তাবা এটা কবেছেন।

[4-30-4-35 p.m.]

The Hon'ble Satyendra Kumar Basu: Sir, my friend Sj. Monindra Chakrabarty has suggested that the Bill should be circulated for the purpose of eliciting opinion on it. This is a very urgent piece of legislation. The purpose of this Bill is to restore the alienated lands to the petty holders of lands who sold their lands owing to distress. You are aware that 15th April, 1955, has been fixed as the time within which all necessary steps must be taken for the purpose of implementing the Estates Acquisition Act. There are only six months left. My friends are familiar with the Act of 1944. This Act is a repetition of that Act excepting that there are a few small changes here and there. There is no new provision in the

Act and circulation of the Bill would frustrate the object for which is has been brought before the House.

My friend Sj. Chakrabarty has suggested that relief should be given in cases where the amount of consideration has exceeded Rs. 550. The purpose of the Bill is to give relief to the petty owners. know that in the 1944 Act relief was given to persons whose holdings were sold for Rs. 250. We have now actually more than doubled that figure. We consider that Rs. 550 is a reasonable figure having regard to all the circumstances. Another friend has raised a point about actual amount of consideration money. That matter will be dealt with by the officer who will dispose of the application for restoration. He will take into consideration all evidence including what has been put in the conveyance or document in dealing with the case. With regard to the date of the application, I have already explained to the House that only six months are left and it has been divided into two halves to distribute the work. So that within the first half applications may be made and the same may be disposed of during the rest of the period. I think full publicity will be given course and with the co-operation of the parties interested, I do not see why the cases should not be timely disposed of. Under the provisions of the Estate Acquisition Act vesting will take place on 1st Baisakh. This has been done with reference to the agricultural season which begins from Baisakh. You may remember that, under the Bargadars Act also restoration to the Bargadar, cultivation or restoration of the land to the owners has to be done in the month of Baisakh. With regard to onus, the ordinary or normal rule is to operate. As my friend Sj. Rabindralal Sinha has indicated the onus is primarily on the tenant-transferor. He has got to establish a prima facie case as he is the person who has special knowledge of the condition under which the sale took place. It is not reasonable to require a transferee

to prove affirmatively that the person who sold was actually in distress without any evidence on the part of the claimant to that effect.

[4-35—4-40 p.m.]

The transferor—has special—knowledge of his economic condition. Therefore, prima facic the onus is on him as it should be. If he establishes a prima facic case, then the onus will be thrown upon the transferee to show that there was no distress or to rebut the case of the transferee and so the normal rule of onus has been provided for in this Bill. In fact there is reasonable apprehension that frivolous claims may be made in certain instances. One of my friends has suggested that these cases should be tried by Judicial Officers. That will cause a great deal of delay and the scheme of this Bill is that summary procedure should be followed and the cases should be disposed of as quickly as possible. There is a right of revision vested in a District Judge. That, I submit, gives ample protection. I think Dr. Chakrabarty has suggested that we must have a permanent Act. That is an impossibility. We can only legislate to cope with peculiar conditions which may arise, but you cannot have a permanent Act giving scope to parties to apply for setting aside transactions, and such law may also be repugnant under the Constitution. My friend Shri Chattopadhyay has given certain figures. Distress which took place in 1951-53 had abated by—the end of that year. He said something about a large number of people having small holdings. That can be remedied by the land reforms which have been undertaken by the Government.

Sir, I oppose the motion.

The motion of Dr. Monindra Mohan Chakrabarty that the West Bengal Alienation of Land (Temporary Provisions) Bill, 1954, be circulated for the purpose of eliciting opinion thereon by the 30th October, 1954, was then put and lost.

motion of the Hon'ble Satyendra Kumar Basu that the West Bengal Alienation of Land (Temporary Provisions) Bill, 1954, as passed by the Assembly, be taken into consideration, was then put and agreed to.

Government

Clause 1.

The question that clause 1 do stand part of the Bill was then put and agreed to.

Clause 2.

Nirmal Chandra Bhattacharyya: Sir, I beg to move that in clause 2(3), line 3, for the word and figure "November, 1953" the word and figure "September, 1954" be substituted.

Sir, Section 2(3) defines the period of distress. The question is really a question of fact. The question is whether distress is still continuing so far as the agriculturists are concerned in affected areas. What are the affected areas? The affected areas are mainly the areas under the police-stations of Sandeshkhali, Haroa and Hasnabad. This Bill is meant to benefit people of other areas also who happened to be distressed and who conform to the definition of "distress" set out in this Act. Sir, you are aware and the Chief Minister is also aware that relief is still being given to the people of Haroa, Sandeshkhali and Hasnabad. In 1953-54 relief to the extent of Rs. 10 lakhs has been distributed to the people of these three police-stations and 5 per cent. of the people are in receipt of relief. Sir, in view of these facts who can deny that distress continues? In view of this the definition of the period of distress contained in the Bill appears to be absolutely unrealistic.

[4-40-4-45 p.m.]

Sir, soon after the disastrous flood or 1950 the distress of the people began and they are still in distress. I am referring particularly to the areas in the Sunderbans. In 1950 the bunds were all

destroyed. As a result of the destruction of the embankments many thousand acres of land were inundated by saline water the effect of which still persists. That is to say the means by the employment of which the people might have improved the economic conditions are not at their disposal. In view of these facts I think, Sir, it has been extremely unwise on the part of the Minister concerned to define the period of distress as the period from 1st day of January, 1951 to November, 1953. I have. therefore, moved that the last date, namely, 30th November, 1953, be changed and I suggest that 30th September, 1954, be substituted for

Bills

Janab Abdul Halim:

মিষ্টাব চেযাবম্যান, স্যাব, এই ক্লুজ ট এও থীতে ডিষ্ট্রেস পিবিনডেব টাইমটা ১৯৫৪ সাল পর্য্যন্ত কবা হযেছে, তার সমর্থণে আমি কিছ বলতে চাই। মাননীয সদস্য শ্রীবনীক্র লাল সিংহ মহাশ্য তাঁব স্থললিত কণ্ঠে বললেন যে ভিষ্ট্ৰেল্ পিৰিয়ভ এখন নাই। কাজেই এই সময় বাদ্যবাব দৰকার নাই। এই কংগেসেব একজন যিনি পালামে নাবী পার্টিব সদস্য এবং পশ্চিম বন্ধ প্রাদেশিক কংগ্রেস কমিটিব *ীকালী মুখার্জী, এম-এল-এ, সম্পতি **मृ** जिक्क प्रकटन, निर्माषकरव स्नुमनवरनव शैराहाया. গলেশখালি পুভৃতি জাষগা বনে এমে যে বিবতি দিয়েছেন---

The Hon'ble Dr. Bidhan Chandra

ওটা বেরিয়েছে সম্পতি, কিন্তু দেখান হয়নি।

Janab Abdul Halim:

হাঁ। স্থাপনাবা বলছেন ডিষ্ট্রেস পিবিয়ড নাই। অ্পচ আপনাদেরই একজন বলছেন ''গত ১৯৫০ সালের সর্বনাশা লোনাজলের প্রাবণ হইতে পাঁচ বংসরে পাম ২০ কোনী টাকার ক্ষতি হইয়াছে। গত ১৯৫০-৫৪ সালেব মধ্যে মনুঘ্য-স্টু সংকট হইতে জীবণ রক্ষাব জন্য চাষীদের হাত হইতে ৪০ হাজাবেরও বেশী জনি হস্তান্তরতি হইয়াছে। পুতি বিধা অন্ততঃ ২০০১ টাকা হিসাবে দাম ধরিলে যোট দাম সাডে পাঁচ কোটী টাকা। পশ্চিম বঙ্গ সরকার এই জমি আইন করিয়া ফেরং দিতে চলিয়াছেন কিন্ত সামান্য টাক। দিয়া বেশী মূল্যে ফোডদারেব। জমি লিখাইয়া লইযাচে ইহার কি হইবে?

ভিশ্বরী স্থান্সবনবাসীব। ছেলেমেমেদের বাঁচাইবাব চেষ্টাম এখনও যে জমি অবশিষ্ট আছে, ১৯৫৪ সালে ভাহা বিক্রয় কবিতে বাধ্য হইতেছে। শতকরা ৭৫টি পরিবাব এক বংসরে দেড হাজার টাকাব এক একটি দলিলে ছ্য বিঘা পর্যাত জমি বিক্রয় করিয়াছে। জমি কেবং আইনে সর্বহাবা আদিবাসী সাওতাল সমাজের সমস্যাব কোন স্থ্রাহা হইবে কি?"

বিশেষকরে আপনাবা জানেন স্থন্দরবন অঞ্চলে শাঁওতাল অধিবাসীরা ক্ষেত-খামাব তৈরী কবে জমিব মালিক হয়েছিল। গত দভিকেব সময় ঐ সব সাঁওতালদেব সেই জমি চলে গেছে। এই বিলে তাদের সেই জমি ফেরৎ পাবাব কোন প্রভিশান নাই। একটা নিয়ম আছে এই আদিবাসীদের জমি কালেক্টরেব অনুষতি ছাড়া বিক্রী হতে পারে না। কারণ পূর্ববত্তী याँता पारेन करव গেছেন, তाँता সেই पारेरन विराध-ভাবে উল্লেখ কবেছেন যে ম্যাজিষ্টেটের অর্ডাব ছাডা আদিবাসীদের কোন জমি হস্তান্তবিত হতে পাববে ना, किन्छ यानिनागीरमय वर् क्रिया या यनगायाजात्व চলে গেছে, তা এখনো পর্যান্ত তারা ফেবৎ পায়নি। কাজেই এখানে ভারা যে দামে জমি বিক্রী করেছিল, সেই দামে কেন তাবা জমি ফেবৎপাবে না! কাবণ (मथ) याग তाना (य होका नित्य क्षिमि निक्की करनिक्क. তার চেয়ে অনেক বেশী টাকা দলিলে লিখিয়ে নেওয়া হয়েছে। আডাইশো টাকা জমির দাম দিয়ে पनित्न व्यत्नक तभी होका निश्रा श्राहा गाँवा জোতদাব, লাটদাব, তাঁরা সেই সব ব্যাপার জানেন।

The Hon'ble Dr. Bidhan Chandra Roy:

গাডে পাঁচশো টাকাব জমি আড়াইশো টাকায় নিয়েছে ?

Janab Abdul Halim:

হাঁ্য, তার কমে জনি পাওয়া যায় না। সেই জন্য জামি বলছি টাকার পরিমাণ বৃদ্ধি করা দরকাব। বিশেষকবে এখনো সেধানে ভিট্টেস পিবিয়ভ আছে। সেই জন্য এই ভিট্টেস পিরিয়ভএর সময়টা আরো বৃদ্ধি করা উচিত।

[4-45-4-50 p.m.]

8j. Satya Priya Roy:

নাননীয় সভাপতি ৰহাশয়, শ্রীযুত নির্দ্ধল ভটাচার্জী ৰহাশয় যে সংশোধনী প্রস্তাব এনেছেন সেটা ধুবই সংগত ও যৌক্তিক এবং তাকে সমর্থণ করছি। সরকারপক্ষের আদ্বশুসাদ থাকতে পারে যে ১৯৫৪
সালে সাবা পশ্চিম বাংলায় যে আর্থিক দুর্দ্দশা এতদিন
ছিল তার অবসান দটেছে। কিন্তু বাস্তবিকপক্ষে
এখনও সেই আর্থিক দুর্দশাব অবসান ঘটে নাই।
কারণ দেখা যাকেচ, ১৯৫৪ সালেও তাবা তাদের
জন্ম বিক্রম করতে বাধ্য হচেছ়। বিশেঘকরে
জলপাইগুড়ি ও অন্যান্য বন্যাবিদ্ধন্ত অঞ্চলে যখন
জনিজনা হস্তান্তবিত হবে তখন হয়ত আবাব নূতন
করে সরকাবকে আইন কবতে হবে। সেই জন্য
এই ন্যাযসংগত এবং যৌক্তিক যে সংশোদনা পুস্তাব
এখানে উপস্থিত কর। হয়েছে সেটা সবকারপক্ষ

The Hon'ble Satyendra Kumar Basu: Sir, it is common knowledge that the crop last year was good. I shall give you some figures. The number of transactions from 1946 to 1948 including all sales was about 19,000 per year and the total value of these transactions was of the order of about Rs. S0 or Rs. 81 lakhs, so that you will see that the average consideration which passed in respect of each transaction during the three years was about Rs. 400.

Sj. Nirmal Chandra Bhattacharyya: Who collects these figures?

The Hon'ble Satyendra Kumar Basu: Government, Sir, in 1950 the number of transactions was 19,812 and the total value was Rs. 1 crore 16 lakhs. It jumped up in 1951. The total number of transactions was 33,060 and the total consideration in respect of these transactions was Rs. 2 crores 8 lakhs, and in 1952 the number of transactions was 38,600 and the total value was Rs. 2 crores 2 lakhs. You will therefore see that in 1951 the average consideration which passed in respect of each transaction was Rs. 600 and in 1952 it was Rs. 500, and in 1953 the total value of all the transactions which took place including distress sale was Rs. 1 crore 51 lakhs. Therefore the value of the transactions in 1953 was less than the value of the transactions in 1952 by over Rs. 50 lakhs, and it works out at Rs. 450 per transaction. We have taken the average at Rs. 600 in 1951, Rs. 500

[The Hon'ble Satyendra Kumar Basu.]

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in 1952 and Rs. 450 in 1950, and we have made a liberal allowance by providing that the transactions in which the consideration did not exceed Rs. 550 might be set aside.

I oppose the motion.

The motion of Sj. Nirmal Chandra Bhattacharyya that in clause 2(3), line 3, for the word and figure "November, 1953" the word and figure "September, 1954" be substituted, was then put and lost.

The question that clause 2 do stand part of the Bill was then put and agreed to.

Clause 3.

The question that clause 3 do stand part of the Bill was then put and agreed to.

Clause 4.

Mr. Chairman: Professor Bhattacharyya, your amendments Nos. 4 and 6 are substantially the same as those of Nos. 3 and 5. You move them or Dr. Chakrabarty can move them.

The Hon'ble Dr. Bidhan Chandra Roy: One of them can move and both can speak.

- 8j. Nirmal Chandra Bhattacharyya: I will move my amendments.
- Dr. Monindra Mohan Chakrabarty: Sir, I beg to move that in clause 4(1), line 4, for the words "five hundred and fifty rupees" the words "twelve hundred rupees" be substituted.

I also beg to move that in clause 4(1)(a), line 3, for the figure "1954" the figure "1955" be substituted.

[4-50-4-55 p.m.]

Sir, I beg to move that in the proviso to clause 4(1), line 2, for the words beginning with "not

later than" and ending with "date of the order", the following words be substituted, namely:-

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"fixed after giving at least three months' time from the date of order."

I also move that the following new sub-clause be added after subclause (4) of clause 4, namely,—

(5) Where an application made under sub-section (1) is accompanied by a statement verified in the manner prescribed by the transferor who made the transfer of the land by sale, referred to in that sub-section could not have maintained himself or his family except by making such alienation of such land, the Collector shall for the purpose of clause (b)of that sub-section presume such statement to be correct until the contrary is proved."

Sir, I move all the amendments together to economise time. I have Hon'ble Minister-inheard the charge of the Bill very carefully when he replied to some of the points raised on the motion for circulation of the Bill. Sir, I refer to clause 4(I), line 4, in which I sought to raise the value of the land from Rs. 550 to Rs. 1,200. Hon'ble Minister that in the earlier Bill the limit was Rs. 250. Even then Rs. 250 was very low and since then there has been much inflation and the other points there are that there are tendencies to raise this limit and I gave him the various reasons for which such tendencies occur. To avoid pre-emption right of co-sharer under the Bengal Tenancy Act, to avoid high court-fee these are some of the reasons. Now, Sir, generally the transferee is a wealthy person of the area and he knows or has previous knowledge that such legislation might be enacted and that is why an artificial valuation is made. In order to obviate that, I have proposed my amendment.

With regard to clause 4(1)(a), line 3, I have proposed instead of the figure "1954", "1955" be substituted. With all the attempts of publicising the provisions it may not be possible to bring it to the notice of our illiterate peasants. As I said on the last occasion, even during the last Act about one year's time was given by the then League Government and it will be better if that time-limit is extended further.

[4-55—5 p.m.]

With regard to the proviso in which it has been stated that the instalments shall be payable on a date not later than the first day of Baishak following, he has himself admitted that some people will get less time and some people will be getting more time. It will be hard for the peasants, for example, who apply on 28th of Chaitra or some such date to start paying from the first of Baishak. So, it is for this reason that I have moved this amendment. That is why I have given three months' time from the date of the order.

The last one of my amendments is that the new sub-clause which seeks to restore the onus on the transferee rather than on the trunferor is in line with the provisions of the earlier Act. I think this should be incorporated in the present Bill if the Minister really wants to get good effects from this Bill.

Sir, with these words I commend my motions.

Mr. Chairman: Professor Bhattacharyya, are you moving your amendments Nos. 4 and 6? They are substantially the same as those of Dr. Chakrabarty.

Sj. Nirmal Chandra Bhatta-charyya: Sir, I will formally move the amendments of which I have given notice.

Sir, I beg to move that in clause 4(1), line 4, for the words "five hundred and fifty rupees" the words "seven hundred and fifty rupees" be substituted.

I also beg to move that in clause 4(I)(a), line 3, for the words and figures "31st day of December, 1954" the words and figures "28th day of February, 1955" be substituted.

I further beg to move that in clause 4(I), line 17, for the words "ten annual instalments" the words "fifteen annual instalments" be substituted.

Sir, in moving the first amendment that stands in my name I would like to point out that on enquiry it has been found that in many cases the value of Rs. 550 has been exceeded and many people who are in distress and who come under the definition of "distressed persons" according to the Act will be left out if we insist on Rs. 550 only. Sir, in this connection I would like to quote in support of my argument the views of one of the leading economists of West Bengal—I mean Mr. Bimal Chandra Sinha, a former Minister of Land Revenue.

He writes as follows:-

"স্থন্দবৰন অঞ্চলে ধৰর লইয়া জানা গিয়াছে যে আকালেৰ সময় বহু জমি ২৫০১ টাকার উর্দ্ধে বিক্রয় হইয়াছে। স্পতবাং বিক্রেতাগণ যাহাতে এই ক্ষেত্রে উপকৃত হইতে পাৰে তাৰ জন্য পুস্তাৰ করা যাইতেছে যে বিক্রয় মূল্যেৰ ক্ষেত্র ২৫০১ টাকা হইতে বৃদ্ধি করিয়া ৭৫০১ টাকা বা তদুর্দ্ধ করা হোক।"

I am reading the translation of his note in English to the Chief Minister. Sir, this is not my view. This is not the view of any of the members of the Opposition. This is the view of a person who may be regarded as an authority on the economics of West Bengal.

[5-5-5 p.m.]

Sir, you are aware that during the time of distress the people were paid much less money than mentioned in the document. In view of this great injustice will be done to those persons if we stick to this figure of Rs. 550. The second amendment that stands in my name that instead of 31st December, 1954,

Nirmal Chandra Bhatta-[Sj. charyya.]

28th February, 1955, be substituted. In this connection also I should like to quote the views of the same authority—Mr. Bimal Chandra Sinha. Mr. Sinha in his note to the Chief Minister wrote as follows:-

''জমি বিক্রেতাগণ যাহাতে জমি ফেরং পেতে পারেন ও তাঁহার৷ যাহাতে এই জন্য যথায়থ স্থযোগ পেতে পানেন, এই উদ্দেশ্যে দরখান্ত পেশ কববার তারিখ ১৯৫৫ শালের ৩১শে মার্চ পর্যান্ত বৃদ্ধি করা হউক।"

Sir, I do not propose that we should go up even to that. My proposal is that 28th February be fixed as the last date for filing applications. Sir, you are aware that the conditions of communications in the Sunderban area are deplorable and it would be very difficult for the people to reach the law court. Consequently it would be no easy matter on the part of Government to advertise that they have passed a measure of this sort designed to improve the present condition of the distressed people. In view of these difficulties it is absolutely necessary that the last date should be changed from the 31st December, 1954 to 28th February. Sir, if you kindly bear with me, I would like to quote the view of Mr. Bimal Sinha again: -

''আইনে নৈকার পবিমাণ যাহাই হউক না কেন কিন্তিবন্দী ২০ বংসব পর্যান্ত টাকা পবিশোধের কবা প্রোজন।"

and I think many of the members opposite including the Chief Minister will bow down to the knowledge of the economic conditions of West Bengal of the ex-Minister Sinha.

The Hon'ble Dr. Bidhan Chandra Roy: I bow down to God and God alone.

Bhatta-Nirmal Chandra 8]. charyya: I am surprised that the Chief Minister believes in God. I am not However, Sir, proposing 20 instalments but only 15. Sir, the economist of the Congress Party has declared his view and I believe they will act up to the view expressed by such a distinguished person. Sir, his views ought to be treated with special respect because he knows these areas very intimately and also because he himself was dealing with the Department of which Mr. S. Basu is now in charge.

With regard to the question of compensation in this Bill contained in section 4 there are certain very valuable suggestions which I would like to place before you. I am happy that these suggestions proceed from Mr. Sinha. He says:-

''এই বিলের একটা দফায বলা হইয়াছে যে বিক্রীত জমির অভাবে বিক্রেতা তাহাব পবিবার পালনে অক্ষম হইতেছে না এই মর্মে কালেক্টরকে সম্ভুষ্ট করিতে হইবে। এই সম্ভুষ্ট করার ব্যাপারটা বীতিমত জটিল ও কঠিন। সেইজন্য প্রস্তাব করা যাইতেছে যে, যে অফিসার জমি পত্যর্পন করিবেন তাঁহার সম্মধে লিখিতভাবে একটা ঘোঘনা করিতে হইবে।"

that is to say if the person concerned declares in the presence of the officer that he was really in distress and under conditions of distress he was bound to part with his land that ought to be considered as sufficient. With regard to compensation there are certain other very relevant suggestions of Mr. Sinha which are highly acceptable and I hope that Mr. Basu will treat them with the respect that they deserve. Mr. Sinha says:—

''মুন্দরবন অঞ্চলে আকালের ফলে মুণ্ডা, কোরান পুভৃতি তপশীল উপজাতীয় লোকেবাই সর্বাধিক ক্ষতিগন্ত হইয়াছে। এই সমস্ত সম্পদায়ের লোকের ক্ষেত্রে কোনরকম বিক্রয মূল্যের সীমা নির্দিষ্ট না করিয়া দিয়া জ্বমি প্রত্যার্পনের ব্যবস্থা করা উচিত।" [5-5-5-10 p.m.]

The Hon'ble Prafulla Chandra Son: May I know, Sir, what is the paper from which the hon'ble meniber is quoting?

Chandra Bhatta-Sj. Nirmal charyya: You may ask the Chief Minister to pass the note on to you.

I am reading from a note that has been submitted to the Chief Minister by a great economist of the Congress Party, Mr. Bimal Chandra Sinha.

The Hon'ble Dr. Bidhan Chandra Roy: How did you get it?

8j. Nirmal Chandra Bhattacharyya: Let him challenge it. I will prove that it is true.

Sir, this is the position. The whole Bill in fact depends on the nature of clause 4. This clause 4 is framed in such a manner as to take away with one hand the benefits that are sought to be given to the people by the other. Sir, it is for these reasons that I do not hesitate to declare this measure to be a halfhearted measure. Mr. Basu possibly did not wish that the people should really get this kind of relief. If he thought so, he would have considered very seriously the suggestions of the ex-Minister of Land Revenue, which must have reached him in proper time. Sir, in view of this I think that the Minister concerned will be good enough to accept our very reasonable and moderate suggestion. Before I conclude I would like to add that we do not go so far as Mr. Sinha does but we are making certain very reasonable and moderate proposals. If these proposals are thrown out, we will come to the conclusion that the Chief Minister and his party are not really interested in the welfare of the distressed peoplethey are anxious to water it down as much as possible. There is, we must not forget, a very serious departure from the principles of the Act of 1944. That is a fundamental departure. The onus of proof under the Act of 1944 was on the transferee and not on the transferor. When there is tremendous distress amongst a section of the people it is fit and proper, it is desirable, that the measure should be of the right type. The measure should be such as to meet the necessities of the You introduce a circumstances. half-hearted measure which will not be to the benefit of the people. I hope. Sir, the Minister will consider the question from all these aspects and see his way to accept the very modest amendment that I have put forward.

The Hon'ble Dr. Bidhan Chandra Roy: Is Professor Bhattacharyya quite sure whether in the 1944 Act the onus lay on the transferer or on the transferee? You say it lay upon the transferer. I say it is wrong.

Sj. Nirmal Chandra Bhattacharyya: The legal expert of the Government in power is there, Mr. Basu. We bow down to superior knowledge of law and possibly the Chief Minister also does. Let him ask Mr. Basu.

The Hon'ble Dr. Bidhan Chandra Roy: I talk upon facts.

Sj. Nirmal Chandra Bhattacharyya: Sir, since the Chief Minister has interrupted me, I would say that what the British bureaucrat did is being done by the so-called national Government.

The Hon'ble Dr. Bidhan Chandra Roy: Don't blow hot and cold at the same time.

Sj. Nirmal Chandra Bhattacharyya: Sir, with your permission I will read out from the relevant sub-section—

"Where an application made under sub-section (1) is accompanied by a state-ment verified in the manner prescribed that the proprietor, tenure-holder, raiyat or under-raiyat who made the transfer of the agricultural land by sale referred to in that subsection could not have maintained himself or his family except by making such alienation of such land, the Collector shall for the purpose of clause (b) of that sub-section presume such statement to be correct until the contrary is proved."

We thought, Sir, that the Chief Minister had gone through the

[Sj. Nirmal Chandra Bhattacharyya.]

relevant law of 1944 before he took part in the discussion. But I eee, Sir, that he has not done so. It is very regretable.

[5-10-5-15 p.m.]

Sj. K. P. Chattopadhyay: Sir, I shall only point out a few things. The Hon'ble Minister in order to do justice has shown the mean figures for the three years and stated that the value of each transaction has averaged Rs. 550. In 1951 it was Rs. 600, he said; in 1952 it was Rs. 550 and in 1953 it was Rs. 500 only. He has said that he wants to give benefit to the largest number of persons who have been affected by the sales. But, Sir, surely he should have taken the trouble to see the distribution of the total price of each of the sales at different levels. There is a biz department of statistics of the Government of West Bengal. They could have investigated into the distribution by total price of each transaction at that time. Mere showing the average price is like quoting the price of brinjals and potatoes in bazar. It will not do. What was the actual distribution of total price of sales in those areas should now be investigated into. did that certainly he would have fixed a higher limit. I say all these things, Sir, as the Hon'ble Minister says that he wants to give the greatest benefit to those who have suffered. For this reason, Sir, I support the amendment of Professor Bhattacharyya regarding the particular limit of Rs. 750 which is the price of nearly two bighas of good paddy land.

Si. Annada Prosad Choudhuri:

স্যান, ডা: মনীক্রমোহন চক্রবর্তীর ৮ নম্বর সংশোধনী প্রস্তাবের সমর্থণে এই কথা বলতে চাই, এতে যে প্রভিসন করা হয়েছে, অর্ডার দেবার নেক্ট ভারিধ ১লা বৈশাধ.

"provided that the first of such instalment shall be payable not later than the first day of Baisakh following the date of the order." নাননীয় বন্ধীৰহাশয়কে বলেছি এতে হতে পারে। কেউ হরত চাকা দেবার জন্য ১৫ দিন সময় পাবেন, কেউ ৩ মাস পাবেন, আবার কেউ হয়ত ১১ মাস সময় পেতে পারে। কাজেই উনি বে তার সমর্থণে বলেছেন যে বর্গাদার আইনে এই ১লা বৈশাখের কথাই বলা হয়েছে কারণ চামের সিজন ১লা **১লা বৈশাৰ্থ চাষের সময় হতে পারে, দেনার** কিন্তি দেবার সময় নয়—এই দটো এক নয়। ডা: মনীন্দ্র চক্রবর্ত্তী মহাশয় তার সংশোধনীতে বলেছেন কালেক্টর অর্ডার দেবার তিন মাসের মধ্যে প্রথম কিন্তি দিতে হবে, এটা হলে সেটা ১লা বৈশাৰও হতে পারে, তাতে কম্পেনসেন দিতে তাদের কিছ দিতে চান এবং সেই রিলিফ যদি সত্য আপনাদের মনেব কণা হয়, তাহলে এই ১লা বৈশাখ ডেট করে তাদের অস্থবিধার ফেলা হবে। স্থতরাং মনীস্ত্র চক্রবর্ত্তী মহাপয়েব প্রস্তাব তিন মাসের মধ্যে দিতে হবে এটাই ঠিক হবে। এই তিন মাসের মধ্যে হলে সেটা ১লা বৈশাখও হতে পারে-কাঞ্জেই--আমার মনে হয় এই সংশোধনী প্রস্তাব বিলের যে উদ্দেশ্য আছে সেই উদ্দেশ্যেই সরকাবের গ্রহণ করা উচিত।

The Hon'ble Satyendra Kumar Basu: Sir, I do not think any of my friends has said anything new. Normally, if I reiterate what I have said already it should suffice. There may however be some virtue in repetitions. I shall therefore answer the points as far as necessary.

With regard to the question of onus, the position is as I have explained before. The person who is selling has peculiar and special knowledge of the circumstances which compelled him to sell.

[5-15-5-20 p.m.]

It is not possible for the transferee, who is a stranger, know the precise financial position of the transferor. Therefore, the normal rule is that the onus should be on the claimant to substantiate his claim. In these cases, as the transferors have peculian knowledge of their financial condition, it is only right and reasonable that they should furnish prima facie evidence of their distress. You will notice that the Act

of 1944 provided that he should file a statement in the prescribed manner, that is to say, he must make an affidavit showing that he was in distress. He must set out in the affidavit evidence of his distress. Sir, I do not think that the suggestion made by my friend, if accepted, will serve his or any useful purpose. What he is saying is that it is impossible for the transferor to establish that he was in distress. If I accept the suggestion that initially the onus would be on the transferee, then the transferee has merely to say "I know that the man was not in distress", then he establishes a *prima facie* case of want of distress; in that case the onus is thrown back on the transferor and he will have to prove that at the time of the transaction he was in distress. In transactions of this nature I am sure evidence will be furnished by both the parties as to the existence or absence of distress. the transferee wanting to retain the property and the transferor wanting to get restoration of the property. In the circumstances it is not really material as to the party on whom the onus is to be at the initial stage. It will be for the court to decide on the weight of evidence. Therefore, the suggestion made by my friends is not accepted.

Then, Sir, I have already drawn the attention of the House to the fact that the Act of 1944 provided for restoration of property when the consideration did not exceed Rs. 250. I have also pointed out that in the years 1946-48 the average consideration in respect of each transaction was Rs. 400, and about that time the Legislature thought that it should give relief only in respect of transactions where the consideration did not exceed Rs. 250. The principal purpose of this Bill is to give relief to petty owners. I have indicated that in 1948 the average value was Rs. 400. In 1951-53 I have shown my friends that the average value of each transaction was Rs. 500. I submit, Sir, that the provision such as is made in the Bill to enable a transferor to apply for restoration of property

where the consideration does not exceed Rs. 550 is a very liberal provision, and I do not think my friends ought to ask that the figure should be raised any further.

With regard to the date by which an application should be made by the transferor, I have indicated why the date, namely, 31st December, 1954, has been fixed. I have told the House, Sir, that there are only six months left for vesting under the Estates Acquisition Act. Therefore, the rights and obligations as between the parties should be settled before that time, because the parties will be called upon to exercise their rights under the Estates Acquisition Act, namely, the right to select the properties which they will retain under section 6 of that Act and it is desirable that all disputes should be settled before that date, that is why 31st December, 1954, has been fixed as the date by which all the applications must come in, so that the applications may be disposed of before the date of vesting.

[5-20—5-25 p.m.]

Sir, my friend Professor Bhattacharyya has suggested that payment should be directed to be made by 1st Chaitra. I do not see any efficacy in that. The Act of 1944 provided that payment of consideration should be made in 10 instalments. This is a reasonable provision for payment of the consideration money. With regard to the payment of instalments my friend Dr. Chakravarty has suggested that the date should be fixed after giving at least three months' time. I do not accept it. It is obviously desirable that payment should be made after the havesting season so that it will be convenient to the transferor to pay and it is also provided in the Bill that restoration should take place on the 1st day of Baisakh and it is evidently desirable that payment should be made by that time. I oppose all the amendments.

The motion of Dr. Monindra Mohan Chakrabarty that in clause 4(1), line 4, for the words "five hundred and fifty rupees" the words "twelve hundred rupees" be substituted, was then put and lost.

The motion of Sj. Nirmal Chandra Bhattacharyya that in clause 4(1), line 4, for the words "five hundred and fifty rupees" the words "seven hundred and fifty rupees" be substituted, was then put and lost.

The motion of Dr. Monindra Mohan Chakrabarty that in clause 4(1)(a), line 3, for the figure "1954" the figure "1955" be subtituted, was then put and lost.

The motion of Sj. Nirmal Chandra Bhattacharyya that in clause 4(1)(a), line 3, for the words and figures "31st day of December, 1954" the words and figures "28th day of February, 1955" be substituted, was then put and lost.

The motion of Sj. Nirmal Chanddra Bhattacharyya that in clause 4(1), line 17, for the words "ten annual instalments" the words "fifteen annual instalments" be substituted, was then put and lost.

The motion of Dr. Monindra Mohan Chakrabarty that in the proviso to clause 4(1), line 2, for the words beginning with "not later than" and ending with "date of the order", the following words be substituted, namely,—

"fixed after giving at least three months' time from the date of the order"

was then put and lost.

The motion of Dr. Monindra Mohan Chakrabarty that the following new sub-clause be added after sub-clause (4) of clause 4, namely,—

"(5) Where an application made under sub-section (1) is accompanied by a statement verified in the manner prescribed by the transferor who made the transfer of the land by sale, referred to in that

sub-section could not have maintained himself or his family except by making such alienation of such land, the Collector shall for the purpose of clause (b) of that sub-section presume such statement to be correct until the contrary is proved."

was then put and lost.

The question that clause 4 do stand part of the Bill was then put and agreed to.

Clauses 5-9.

The question that clauses 5-9 do stand part of the Bill was then put and agreed to.

Preamble.

The question that the preamble do stand part of the Bill was then put and agreed to.

The Hon'ble Satyendra Kumar Basu: Sir, I beg to move that the West Bengal Alienation of Land (Temporary Provisions) Bill, 1954, as settled in the Council, be passed.

The motion was then put and agreed to.

Mr. Chairman: The Council stands adjourned sine die. Members will be duly notified as to the date and time of the next sitting of the Council.

Adjournment.

The Council was then adjourned sine die at 5-25 p.m. on Tuesday, the 28th September, 1954.

Members absent.

Bagchi, Sj. Narendranath.
Banerjee, Sj. Tara Sankar.
Banerji, Sj. Sankar Das.
Bose, Sj. Subodh Kumar.
Mohammad Jan, Janab Shaikh.
Musharruf Hossain, Janab.
Prodhan, Sj. Lakshman.
Rai Choudhuri, Sj. Mohitosh.
Sanyal, Sj. Charu Chandra.
Saraogi, Sj. Pannalal.
Sarkar, Sj. Pranabeswar.
Sen, Sj. Debendra.

NOTE.—The Council was subsequently prorogued with effect from the 1st October, 1954, under notification No. 2742-A.R. dated the 1st October, 1954, published in an extraordinary issue of the *Calcutta Gazette* of even date.

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